

**THE MADRAS LEGISLATIVE ASSEMBLY.**

**Tuesday, 14th December 1954.**

The House met in the Assembly Chamber, Government Estate, Mount Road, at eleven of the clock, Mr. Speaker (THE HON. SRI J. SIVASHANMUGAM PILLAI) in the Chair.

**I.—QUESTIONS AND ANSWERS.**

**STARRED QUESTIONS.**

*Payment of advance of travelling allowance to subordinates on duty connected with District Board elections.*

\* 215<sup>a</sup> Q.—SRI M. NARAYANA KURUP : Will the Hon. the Minister for Local Administration be pleased to state whether the Government paid advance batta to any of the persons who were employed in connection with District Board election duties?

THE HON. SRI S. S. RAMASAMY PADAYACHI :—“ Yes, Sir. Instructions were issued by Government to all Heads of Offices that advance of travelling allowance should be promptly given to subordinates deputed to attend instruction classes or for election duty, if such an advance was applied for.”

SRI M. NARAYANA KURUP :—“ The Hon. Minister said that instructions were issued to give advances to subordinates. Inasmuch as a large number of employees do not belong either to the Government department or to the local board but to private agencies, may I know whether the Government ordered payment of advance of batta to all those who were employed in connection with election work? ”

THE HON. SRI S. S. RAMASAMY PADAYACHI :—  
“ Instructions were given to give batta to aided-elementary and secondary school teachers.”

SRI S. DEIVASIGAMANY :—“ Now that elections are over, how long will it take for Government to pay the balance of batta to these teachers and subordinates? ”

THE HON. SRI S. S. RAMASAMY PADAYACHI :—“ I want notice, Sir.”

SRI M. NARAYANA KURUP :—“ Inasmuch as some of the battas for the general election duty are still outstanding after two years and a half, will the Hon. the Minister issue instructions that these battas are to be paid immediately and without any delay? ”

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<sup>a</sup> Question Nos. 215, 219, 225 and 233 postponed from the list for 11th December 1954.



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**THE HON. SRI C. SUBRAMANIAM :—**“ In the matter of payments, proper bills have got to be submitted. They have got to be scrutinized, before payment is made. We have got to see that wrong persons are not paid and only correct persons are paid. I think all payments have been made now. I do agree that there was inordinate delay in the payment of batta for general election duty. We have disbursed payment as far as possible. I do not think there are pending cases now, unless some more cases are brought to my notice.”

**SRI K. VINAYAKAM :—**“ While being abundantly cautious not to pay bills to wrong persons, is the Hon. Minister aware of the fact that even right persons who have submitted their bills in the proper time and through the proper channel are being denied payment on flimsy grounds, viz., that the sanctioning authority has gone on camp, that he is not at headquarters and on some other lame excuses? The poor teachers have got to wait for a long time because the payment is being delayed on the flimsy grounds to which I have referred. What has the Hon. Minister got to say for this delay in payment to right persons, who have submitted their bills at the proper moment and through the proper channel? What has the Hon. Minister got to say in the case of a Corporation school teacher whose batta still remains unpaid for work he had done for the general elections in 1952? We are now at the fag end of 1954.”

**THE HON. SRI C. SUBRAMANIAM :—**“ I know that there has been a certain amount of delay especially in some cases. But we have issued instructions to the effect that these bills should no longer be delayed. With reference to the particular case referred to by the hon. Member, if he brings it to my notice, I will certainly look into the matter.”

**SRI M. NARAYANA KURUP :—**“ In most cases, applications for payment have got to be submitted in the proper form. When authorities were approached for such proper forms, they did not supply them. Will the Government see that necessary forms are supplied to all those teachers or whoever they may be who had been employed for work in connection with general elections? ”

**THE HON. SRI C. SUBRAMANIAM :—**“ Yes, Sir. Steps have been taken now so that they may get the defects rectified by the officer concerned through whom these bills have got to be submitted.”

**SRI S. RAMALINGAM :—**“ இரண்டொரு நாட்களுக்கு முன் ஒரு கேள்விக்கு பதில் சொல்லும்போது கனம் மந்திரி அவர்கள் சொன்னார்கள் சர்க்கார் உத்தியோகஸ்தர்கள் எந்த விஷயத்திற்கும் எம்.எல்.ஏ.க்களிடம் போகக்கூடாது ; அப்படி சென்றால் அவர்கள் மீது நடவடிக்கை எடுக்கப்படும் என்று ஆனால் இப்பொழுது உபாத்தியாயர்கள் பிரயாணப்படி கிடைக்காதது



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சம்பந்தமாக பதில் அளிக்கையில் அத்தகைய விஷயங்களை என்னுடைய கவனத்திற்குக் கொண்டுவந்தால் நான் நடவடிக்கை எடுத்துக்கொள்ளுகிறேன் என்று சொன்னார்கள். ஆதலால் ஏற்கெனவே மந்திரி அவர்கள் சொன்னமாதிரி அதிகாரிகளின்மீது நடவடிக்கை எடுத்துக்கொள்ளுவார்களா அல்லது இப்பொழுது சொல்லுகிறமாதிரி நடவடிக்கை எடுப்பார்களா என்பதை அறிய விரும்புகிறேன்.”

THE HON. SRI C. SUBRAMANIAM :—“ That refers to the case of a teacher employed not in Government service but under the Corporation. I referred to non-Government teachers.”

*Construction of a road from Pazhayangadi to Mattool, North Malabar.*

\* 219 a Q.—SRI K. P. GOPALAN : Will he Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that the construction of a road from Pazhayangadi to Mattool in Chirakkal taluk, North Malabar, three miles long was included in the Five-Year Plan; and

(b) if so, the steps taken for the construction of the road?

THE HON. SRI S. S. RAMASAMY PADAYACHI :—“ (a) & (b) The formation of the road to a length of 2 miles and 4 furlongs is included in the Five-Year Plan but it has not yet been taken up for execution. Its execution will be sanctioned in due course.”

SRI K. P. GOPALAN :—“ Are Government aware that people are put to great difficulty for want of a road there and may I request the Hon. Minister to take steps to see that the road is constructed as early as possible? ”

THE HON. SRI S. S. RAMASAMY PADAYACHI :—“ Yes, Sir.”

*Construction of Tazhacode-Vettathur and Tazhacode-Aliparamba roads in Malabar district.*

\* 225 a Q.—SRI K. KUNHI MOHAMED SHAFEE : Will the Hon. the Minister for Local Administration be pleased to state—

(a) at what stage the construction of the Tazhacode-Vettathur road and the Tazhacode-Aliparamba road in Walluvanad taluk, Malabar district, stands; and

(b) if the construction has not yet commenced, when the Government propose to begin the work and by what time it is proposed to complete the same?

THE HON. SRI S. S. RAMASAMY PADAYACHI :—“ (a) &

(b) The execution of the road works has not yet been sanctioned and it will be sanctioned in due course when funds are available.”



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SRI K. KUNHI MOHAMED SHAFEE :—“ On a previous occasion, when this question was raised in the Assembly, the then Hon. Minister for Local Administration stated that the road has been included in the Five-Year Plan. Now in view of the fact that these roads were included even in the Vipon scheme, which was prepared in olden days and in view of the fact that the necessity for such a road is very greatly felt by the people of the locality, will the Government consider the sanctioning of the construction of this road in the immediate future? ”

THE HON. SRI S. S. RAMASAMY PADAYACHI :—“ Yes, Sir, the importance of the road is felt by Government. That is why Government are examining the sanctioning of that scheme.”

11-10 SRI K. P. GOPALAN :—“ Sir, are the Government aware that since 1920 the people of that locality have petitioned to the Government as well as to the authorities concerned to construct the road and so many officers went to that place to find out the location and other details? Will the Government be pleased to take steps at least now to construct the road? ”

THE HON. SRI S. S. RAMASAMY PADAYACHI :—“ Yes, Sir. The Government are seriously considering the matter and it has been forwarded to the District Board for necessary action.”

*Construction of a bridge across Mambaram river at Manantoddy.*

\* 233<sup>a</sup> Q.—DR. K. B. MENON : Will the Hon. the Minister for Local Administration be pleased to state whether the Government have finally considered the question of constructing a bridge over the Mambaram river connecting Manantoddy with Cannanore and with what result?

THE HON. SRI S. S. RAMASAMY PADAYACHI :—“ It was found not possible at present to take up this work. The Chief Engineer (Highways) has been asked to consider the question of including this work in the next list of Central Road Fund works.”

DR. K. B. MENON :—“ Sir, have the Government received representations subsequently saying that there is no objection to their having the old bridge reconstructed and are the Government aware that the river is in floods for nearly three or four months in a year and that it is impossible for the people to cross the river during those three or four months? Will the Government therefore expedite the work? ”

THE HON. SRI S. S. RAMASAMY PADAYACHI :—“ Sir, the cost of the bridge comes to about Rs. 10 lakhs. As soon as funds are available, the work will be taken up for execution.”



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*Improvement of slums in the City.*

\* 270\* Q.—SRI A. RATNAM : Will the Hon. the Minister for Health be pleased to state—

(a) whether the Corporation of Madras submitted any revised programme of slum improvement which they had proposed to carry out, in the light of the provisions of the Madras Slum Improvement (Acquisition of Land) Act, 1954;

“(b) whether the Government consulted the Director of Harijan Welfare, and the Collector of Madras in the matter; and

(c) whether any subsidy has been granted by the Union Government towards the scheme?

THE HON. SRI A. B. SHETTY :—“(a) No, Sir.

“(b) The question does not arise.

“(c) No, Sir.”

SRI K. VINAYAKAM :—“Sir, there are two aspects to this question. One is, according to the Madras Slum Improvement (Acquisition of Land) Act, 1954, the Corporation of Madras is expected to acquire the slums in the City of Madras. Apart from this, did not the Corporation submit a separate plan to the Government of Madras to improve the slums belonging to both Government and the Corporation and did not the Corporation approach the Government for a slice of money known as the grant-in-aid to improve the slums in the City of Madras? If so, what action did the Government take in the matter?”

THE HON. SRI A. B. SHETTY :—“The Commissioner of the Corporation has been asked to submit detailed proposals for drawing up a programme for acquisition of lands occupied by slums in the City. In pursuance of the provisions of the Madras Slum Improvement (Acquisition of Land) Act, 1954, which was passed recently, a comprehensive scheme for slum improvement prepared by the Corporation of Madras at an estimated cost of Rs. 4.19 crores has been forwarded to the Government of India and they have been requested to allot a block grant for this purpose.”

SRI C. KANDASAMY :—“Sir, after the passing of the Slum Improvement Act of 1954, has any improvement been made so far in the City?”

THE HON. SRI A. B. SHETTY :—“Sir, slum improvement works are going on. The Corporation slums have been improved and ten of the slums on Government lands have also been improved. A comprehensive scheme has been prepared and it has been forwarded to the Government of India.”



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SRI S. PAKKIRISWAMI PILLAI :—“ How is it, Sir, that the Government are moving slowly in the matter, though the Slum Improvement Act was passed a year ago? Do not the Government feel that the improvement of the *cheris* is a burning question? ”

THE HON. SRI A. B. SHETTY :—“ The Act was passed only this year.”

SRI V. BALAKRISHNAN :—“ Sir, does the much troublesome and long pending Appavu Nagar Railway feeder road matter come under this Slum Improvement Scheme? ”

MR. SPEAKER :—“ The hon. Member is not audible. What is it? ”

SRI K. VINAYAKAM :—“ Sir, Appavu Nagar is a slum in the City of Madras. The hon. Member Sri Balakrishnan is referring to that particular slum. So it is a pertinent question.”

THE HON. SRI A. B. SHETTY :—“ A separate question may be put.”

SRI V. GOPALA GOUNDER :—“ Sir, there are slums owned by private persons. Are the Government taking any action to improve these areas also at the cost of the Government? ”

THE HON. SRI A. B. SHETTY :—“ The Commissioner has been asked to include slums owned by private persons also.”

SRI A. RATNAM :—“ May I know, Sir, whether the amount allotted for the Slum Improvement Scheme has been spent and if so by whom? What were the measures taken and how many slums were improved? If not, why not? ”

THE HON. SRI A. B. SHETTY :—“ The Government of India have not sent their reply. I do not expect that they will give any grants but they will be prepared to give interest-bearing loans.”

SRI S. DEIVASIGAMANY :—“ Sir, do the Government mean by slum improvement the effacing of slums like Cox Cheri, or are they going to put up new buildings in the slum areas so as to house the people who have been living in those areas? ”

THE HON. SRI A. B. SHETTY :—“ The hon. Member is not moving with the times. It is not called ‘ Cox Cheri ’ now. It has been renamed ‘ Cox Square.’ (Laughter.) Only the other day the Hon. the Chief Minister opened forty tenements and the foundation-stone has been laid by the Hon. the Finance Minister for constructing another forty tenements.”

SRI K. VINAYAKAM :—“ Sir, I invite your attention to the answers given by the Hon. the Minister for Health. While replying to the written question, the Hon. Minister said that the Corporation of Madras has not submitted any scheme for the improvement of slums. The answer to clause (a) of the main



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question was ' No, Sir '. Then subsequently when I put a supplementary question whether the Corporation did not submit a separate plan for the improvement of slums, the Hon. Minister replied that the Corporation has submitted a comprehensive scheme which has been forwarded to the Government of India? Sir, I wish to know which of the two answers is correct? "

THE HON. SRI A. B. SHETTY :—" Sir, the confusion is only in the mind of my hon. Friend. (Laughter.) Probably he is thinking of the next supplementary question. He is not listening to the answers which I have given."

SRI M. JAGANNATHAN :—" Sir, may I know how many slums have been shifted wholesale in the City of Madras under the Slum Improvement Scheme? "

THE HON. SRI A. B. SHETTY :—" Sir, the policy of the Government has been changed now. It is slum improvement and not slum clearance. While making improvement to slums, it may become necessary to provide for some of the dwellers elsewhere but most of them are re-housed in the same place after the necessary improvements have been effected."

SRI M. KALYANASUNDRAM :—" May I know, Sir, whether the Government will take steps to extend the provisions of this Act to other municipal towns also in the State? "

THE HON. SRI A. B. SHETTY :—" That will be considered in future. Let us see how the scheme works in the City."

*Rehabilitation of Ceylon Indians.*

\* 300 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Finance be pleased to state—

11-20  
a.m.

(a) whether it is a fact that a large number of refugees from Ceylon are arriving within the territory of the Madras State;

(b) if so, whether the Government have made any arrangements to rehabilitate them;

(c) whether any proposals have been received from the Central Government in this regard; and

(d) if so, what they are?

THE HON. SRI C. SUBRAMANIAM :—" (a) By the term ' refugees ', the member apparently refers to Indians returning to India as a result of the Ceylon Government's Scheme to send away temporary residence permit holders. If so, the number of such Indians who have returned to India till now cannot be said to be large.

" (b) The Government are watching the situation. There is no need for rehabilitation at present. This question will be considered when the need arises.



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“(c) The answer is in the negative.

“(d) In view of the answer to clause (c) the question does not arise.”

\* 301 Q.—SRI M. NARAYANA KURUP : Will the Hon. the Minister for Finance be pleased to state what steps have been taken or are proposed to be taken by the Government to give relief to the repatriates from Ceylon under the Indo-Ceylon agreement?

THE HON. SRI C. SUBRAMANIAM :—“ The Government have no proposals on hand as there is no need for them at present. They are, however, watching the situation closely and the question of giving relief to Indians returning from Ceylon as a result of the Ceylon Government's Scheme to send away temporary residence permit holders will be considered when the need arises.”

\* 302 Q.—SRI C. KANDASAMY : Will the Hon. the Minister for Finance be pleased to state the preliminary and primary reliefs the Government propose to give to the persons repatriated from Ceylon?

THE HON. SRI C. SUBRAMANIAM :—“ The Government have no proposals on hand as there is no need for them at present. They are however watching the situation closely and the question of giving relief to the persons repatriated from Ceylon will be considered when the need arises.”

\* 303 Q.—SRI N. K. PALANISAMY : Will the Hon. the Minister for Finance be pleased to state—

(a) whether the State Government have received any information from the Union Government with regard to the stateless labourers who may be sent away from Ceylon to Madras ; and

(b) the measures that are proposed to be taken by the State Government for their rehabilitation?

THE HON. SRI C. SUBRAMANIAM :—“ (a) The answer to the question is in the negative. There is no question of any stateless persons being sent away from Ceylon to Madras.

“(b) In view of the answer to clause (a), this question does not arise.”

\* 304 Q.—SRI P. K. GOPALAKRISHNAN : Will the Hon. the Minister for Finance be pleased to state whether the State Government were consulted by the Government of India prior to their recent negotiations with the Government of Ceylon regarding the Nationals of Indian origin in Ceylon?

THE HON. SRI C. SUBRAMANIAM :—“ The Government of India have been keeping the State Government regularly informed of developments regarding people of Indian origin



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resident in Ceylon, both before and after the discussions which took place in Delhi during October last. The Government of India have also consulted the State Government from time to time and were aware of the State Government's views in regard to people of Indian origin in Ceylon."

SRI M. NARAYANA KURUP :—" In view of the fact that alarming figures are given about the number of persons likely to be affected by this agreement, have the Government considered in detail the question as to how many are likely to be affected by this agreement, that is, how many are likely to be sent to this State and how they propose to meet such a situation? "

THE HON. SRI C. SUBRAMANIAM :—" We need not be alarmed by mere figures published in the newspapers. When the occasion comes, proper and suitable action will be taken."

SRI P. K. GOPALAKRISHNAN :—" The Hon. the Minister has stated that the number of repatriates is very small and that their problem is not a big one. As compared with the large population of this State, the number may be very small but does he know that the repatriates in the Nattika firka present a huge problem and that out of every two families, one needs immediate help and relief? Will the Government afford the necessary relief to these families? "

THE HON. SRI C. SUBRAMANIAM :—" We are considering questions as and when they arise. At present, repatriation is not on a very large scale and we are hoping that it will not be on a very large scale in future. We are also anxious that whatever measure that we take here should not be an inducement to people in Ceylon to leave that place and come away to India."

SRI P. RAMAMURTHI :—" ஸார், சிலோனிலிருந்து எத்தனை பேர்கள் திருப்பி அனுப்பப்பட்டிருக்கிறார்கள் என்பதற்கு சர்க்காரிடம் கணக்கு இருக்கிறதா? "

THE HON. SRI C. SUBRAMANIAM :—" If the hon. Member wants, he may put a separate question. I shall give the figures."

SRI P. RAMAMURTHI :—" ஸார், அதிகமான பேர்கள் இன்னும் திரும்பி வரவில்லை என்று பதில் கொடுக்கப்பட்டது. அப்படியானால் அதிகமான பேர்கள் என்பது எந்த எண்ணிக்கையைக் குறிக்கிறது என்பதையும் அதிகமான பேர்கள் இல்லை என்பது எந்த எண்ணிக்கையைக் குறிக்கிறது என்பதையும் அறிய விரும்புகிறேன்."

THE HON. SRI C. SUBRAMANIAM :—" The present number is in no way considerable. It is only a few hundreds."

DR. K. B. MENON :—" Will the Government give same idea about the economic status of these repatriates and also will they tell us whether single individuals or families are affected? "



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THE HON. SRI C. SUBRAMANIAM :—“ The repatriates, whether they are single or families, are comparatively well-off and even after we enquired whether they needed any help, they said, many of them, that they did not want any help from us just now.”

SRI K. KUNHI MOHAMED SHAFEE :—“ May I know whether the Government have got any statistics to show the total number of such repatriates including those who are likely to return under this agreement? ”

THE HON. SRI C. SUBRAMANIAM :—“ We have figures in respect of persons who have already returned. We do not expect any large number to return in future. This is merely an expectation and everything depends on how the agreement works.”

SRI M. PALANIYANDI :—“ சிலோன் இந்தியர்களை வெளியேற்றும் பிரச்சனையில் மத்திய அரசாங்கத்துடன் ஏதாவது பேச்சு வார்த்தை நடந்ததா? அப்படி ஏதாவது பேச்சு வார்த்தைகள் நடந்திருந்தால் அதில் சென்னை அரசாங்க மந்திரிகளில் யாராவது கலந்துகொண்டு தங்களுடைய ஆலோசனையை தெரிவித்ததுண்டா என்பதை அறிய விரும்புகிறேன்.”

THE HON. SRI C. SUBRAMANIAM :—“ I have already stated that we have been consulted and are kept informed of all that is happening in Ceylon.”

SRI R. KRISHNAN :—“ ஸார், சிலோனிலிருந்து இங்கு குடியேறி வரும் இந்தியர்களுக்கு வேலை கிடைக்க கஷ்டம் இல்லை என்று சொல்லப்படுகிறது. ஆனால் லட்சத் தீவுகளில் அதிகப்படியான ஜனங்கள் இல்லை என்றும் சொல்லப்படுகிறது. இந்த நிலைமையில் அந்த ஜனங்களை அந்த லட்சத் தீவுகளில் குடியேற்றுவதற்கு ஏற்பாடு செய்ய முடியுமா? அப்படி ஏற்பாடு செய்வதற்கு அந்த லட்சத் தீவுகளில் சர்வே நடத்த முன்வருவார்களா? ”

THE HON. SRI C. SUBRAMANIAM :—“ I think it is better the hon. Member puts his question in Malayalam and has it translated into English by some other Member instead of putting questions in Tamil and putting everybody into difficulty.” (Laughter.)

SRI R. S. ARUMUGAM :—“ ஸார், எந்த அடிப்படையில் எந்த முறையில் இலங்கை சர்க்கார் இந்தியர்களை இந்தியாவுக்கு அனுப்புகிறார்கள் என்பதை அறிய விரும்புவதோடு இலங்கைக்கும் நமக்கும் ஒரு சுமுகமான சூழ்நிலையை, உறவை உண்டாக்க நமது சட்ட சபை மெம்பர்களைக் கொண்ட ஒரு நல்லெண்ணத் தூது கோஷ்டியை இலங்கைக்கு அனுப்பி வைக்க இந்த சர்க்கார் முன் வருமா என்பதையும் அறிய விரும்புகிறேன்.”

THE HON. SRI C. SUBRAMANIAM :—“ If a deputation of Members of this Assembly could solve the problem, certainly that would have been the first step taken by this Government. But it is not so simple as that. That is why we are facing all these difficulties.”



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**SRI P. RAMAMURTHI** :—“ ஸார், சிலோனிலிருந்து மலையாளத் திற்கு வந்து குடியேறியிருக்கக்கூடியவர்களில் பெருவாரியானவர்கள் சிலோனில் மரமேறும் தொழிலாளர்களாக இருந்தார்கள் என்பது கனம் மந்திரி அவர்களுக்குத் தெரியுமா? அவர்கள் நல்ல அந்தஸ்தில் இருந்தார்கள் என்று கனம் மந்திரி அவர்களின் கருத்தா? ”

**THE HON. SRI C. SUBRAMANIAM** :—“ I do not concede that toddy tappers have returned in very large numbers. As far as persons who have come back are concerned, they do not need any help at the present time. When the need arises, we shall certainly look into it.”

**SRI V. BALAKRISHNAN** :—“ Have these repatriates or refugees sought any help from the Government of their own accord and if so, may I know the nature of such help sought? ”

**THE HON. SRI C. SUBRAMANIAM** :—“ I have said that nobody has so far sought any help from the Government.”

**SRI V. R. NAGARAJAN** :—“ How do the Government dispose of persons who arrive here as destitutes from Ceylon? Are they fed properly and are they provided any conveyance to reach their homes here? ”

**THE HON. SRI C. SUBRAMANIAM** :—“ They are not destitutes, as I have already stated. They need no help from the Government at present.”

**SRI K. R. NALLASIVAM** :—“ ஸார், சிலோனிலிருந்து வெளியேற்றப்படும் தொழிலாளர்களை அந்தமான் தீவுகளில் குடியேற்றுவதற்கு அரசாங்கம் ஏதாவது நடவடிக்கை எடுத்துக்கொள்ளுமா என்று கேட்கிறேன்.”

**THE HON. SRI C. SUBRAMANIAM** :—“ We cannot compulsorily send any person to the Andamans unless we revive the old practice of sending persons convicted and sentenced to transportation for life to Andamans. But when the problem arises, it will be considered.”

**SRI M. NARAYANA KURUP** :—“ There is a proverb which says that it is indiscreet to choose the site of the well when the house is burning. Will the Government see that precautionary measures are taken so that when the catastrophe occurs, they may come to the help of these people immediately rather than wait indefinitely? ”

**THE HON. SRI C. SUBRAMANIAM** :—“ I am very thankful to the hon. Member for the proverb that he has quoted, but unfortunately it does not apply here. What we are trying to do at present is to prevent the catastrophe so that many may not come back from Ceylon and create further problems here.”

**SRI T. ANANTA PAI** :—“ While the Government should be prepared to meet any contingency, should they not make it clear that they do not hold out any inducement for people in Ceylon to come to this State? ”



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THE HON. SRI C. SUBRAMANIAM :—“ Hon. Members want that we should provide an inducement to them to come back by the steps we are taking here. We are preventing that catastrophe but the hon. Member Mr. Kurup wants that we should give them scope for returning to India.”

SRI T. C. NARAYANAN NAMBIAR :—“ Sir, on a point of order. The Hon. the Minister was saying that so far as the repatriates from Ceylon to Malabar were concerned, they did not want any help. May I know from him with what statistics as the basis and on what authority he said so? ”

MR. SPEAKER :—“ How is it a point of order? ”

SRI T. C. NARAYANAN NAMBIAR :—“ There were representations made to the Government both by the Members of Legislature and also other representatives of the people with regard to the necessity for providing relief to these people. The Hon. the Minister says that there is no necessity for relief and none wants relief.”

MR. SPEAKER :—“ How can this be raised as a point of order? It can only be a supplementary.”

SRI T. C. NARAYANAN NAMBIAR :—“ It is misleading the whole House and you must help us, Sir.”

MR. SPEAKER :—“ How can I help if the Hon. Minister misleads the hon. Member? ” (Laughter.)

SRI T. C. NARAYANAN NAMBIAR :—“ Are we not entitled to get correct answers? This is misrepresentation and you must come to our rescue.”

THE HON. SRI C. SUBRAMANIAM :—“ I have stated the correct facts in my possession. The relief is not for the M.L.As. but people who have come from Ceylon. I have categorically stated that we have not received any representation from them for any immediate help.”

*Improvements made to slums by the City Improvement Trust.*

11-30 a.m. \* 305 Q.—SRI A. RATNAM : Will the Hon. the Minister for Health be pleased to state the interest the City Improvement Trust has taken so far for the benefit of the poor and the Harijans?

THE HON. SRI A. B. SHETTY :—“ One of the primary objects of the Madras City Improvement Trust is to improve the slums in the City and provide houses for the homeless poor including Harijans, so far as its finances permit.

During 1950-51, the slum known as ‘ Sankthiganapathipuram ’ in Mambalam South and a part of Cox Square (formerly known as Cox-Cheri) were cleared and improved. By this improvement about 100 families were rehabilitated. In 1951-52 about 1,000 grounds in Mandavalipakkam were cleared



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and improved. By this scheme, about 250 families living in slums were temporarily accommodated in the scheme area. They will be shifted to 250 plots in a regular lay-out in the near future. In 1952-53, 250 grounds of land in Sri Rampet Slum in Mambalam South was cleared. By this, about 300 families were rehabilitated. This locality has been provided with the amenities such as roads, lights, sewers, etc. Some culverts, more roads, a community centre, etc., are under execution. In the same scheme area, a slum known as Mas-than Garden covering 250 grounds was cleared and improved during 1953-54. By this, about 300 families were rehabilitated during the current year, 40 tenements for the families de housed on account of the execution of the Cox-Cheri Scheme have been constructed. Forty more tenements for the same people will be constructed shortly. There are some other schemes designed for the benefit of the poor people pending execution."

SRI S. PAKKIRISWAMI PILLAI :—" From the statement of the Hon. Minister we find that the City Improvement Trust is directing its attention only to South Madras which is comparatively richer than North Madras wherein there are larger number of slums accommodating poorer sections of the people. May I know, therefore, whether the Hon. Minister will instruct the City Improvement Trust authorities to divert their attention to North Madras also? "

THE HON. SRI A. B. SHETTY :—" All slums will be taken up in due course for improvement."

SRI C. RAJAM RAMASAMI :—" May I know whether the City Improvement Trust have made a proposal for improving the slums on the basis of half-grant and half-loan? "

THE HON. SRI A. B. SHETTY :—" Yes, Sir."

SRI K. VINAYAKAM :—" How many families were displaced from Cox-Cheri and how many of them were given provision for housing in Kodambakkam? Is it not a fact that in the Cox Square which was recently opened by the Hon. the Chief Minister of Madras no sewage connexion has yet been given but that a pretence is made with one dry latrine? "

THE HON. SRI A. B. SHETTY :—" The hon. Gentleman may give notice of a separate question."

SRI A. RATNAM :—" May I know whether the City Improvement Trust is collecting any rent from the Harijans for the hutment grounds and the huts constructed and whether the Trust will assign the slums entrusted to it to the respective Harijan occupiers? "

THE HON. SRI A. B. SHETTY :—" Rents at concessional rates are being collected."



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*Personality test for admission into Government professional colleges.*

\* 306 Q.—SRI N. K. PALANISAMY: Will the Hon. the Minister for Public Works be pleased to state whether the Government have proposed any personality test for admitting students into Professional Colleges in the Madras State and if so, what it is and how it will be worked?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“With a view to assess the comparative merits of the candidates for admission into the Government Professional Colleges, the Government in 1952 fixed 50 as the maximum number of marks to be awarded (by the Selection Committee while interviewing candidates for selection) for the extra curricular activities like sports, National Cadet Corps activities, Social Service, and also for general physical condition and endurance, general ability and aptitude. While introducing certain changes in connexion with the admissions for the year 1954-55, the maximum number of marks to be awarded for extra-curricular activities was increased from 50 to 150.”

SRI N. K. PALANISAMY:—“கனம் ராஜாஜி காலத்தில் பர்சனாலிட்டி டெஸ்டுக்காக 50 மார்க்கும், இதரவற்றிற்கு 50 மார்க்குமாக இருந்தது. ஆனால் ராஜாஜிக்குப் பிறகு பர்சனாலிட்டி மார்க்கை 50-ல் இருந்து 150-க்கு உயர்த்தியிருக்கிறார்கள். இப்படி அதிகப்படுத்தியிருப்பதன் காரணம் மாணவர்களின் திறமை குறைவாக இருப்பதினாலா, அல்லது கனம் மந்திரிகள் தங்களுக்கு வேண்டியவர்களுக்குச் சலுகை கொடுப்பதற்காகவா?”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“First of all, the hon. Member has mis-stated facts. He said that 50 marks were allotted for activities and that there was a balance of another 50 marks. I do not know anything about it. But 50 marks allotted formerly were raised to 150 marks because some of the members of the Selection Committee wanted the range to be wider so that ample scope might be provided for selection. That is why the marks have been raised. There was no partially shown and nobody had anyone in view.”

*Erection of statues for Kattabomman, Oomathorai and V. O. Chidambaram Pillai.*

\* 307 Q.—SRI G. GOVINDAN: Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government have any proposal to repair the Fort at Panchalankurichi and erect statues of Kattabomman and Oomathorai there; and

(b) whether there is any proposal to purchase the house at Ottapidaram, where Sri V. O. Chidambaram Pillai was born, and erect a monument there for him?

THE HON. SRI C. SUBRAMANIAM:—“(a) & (b) The answer is in the negative.”



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**SRI G. GOVINDAN** :—“ கனம் சபாநாயகர் அவர்களே, நீண்ட காலத்திற்கு முன்னால் இந்த நாட்டு மக்களுக்கு தேசாபிமானம் ஊட்டிய ஊமத்துரை, கட்டபொம்மன், வ.உ.சி. போன்றவர்களுக்கு ஞாபகார்த்தச் சின்னங்கள் ஏற்படுத்தாமல் இருப்பதற்கு சர்க்காரின் நோக்கம் என்னவென்று கேட்கிறேன் ? ”

**THE HON. SRI C. SUBRAMANIAM** :—“ If any private body comes forward to put up a monument, the Government will give all the assistance necessary for it.”

**SRI ANTONY PETER** :—“ If it is deemed necessary, will it be possible for the Government to collect the correct images of these personalities? ”

**THE HON. SRI C. SUBRAMANIAM** :—“ If it is possible, we shall try to get them.”

**SRI P. SELVARAJ** :—“ If it is the intention of the Government to perpetuate the memory of the pioneers of the Freedom Movement, will the Government come forward to start a land colonization scheme in and around the place of Panchalankurichi? ”

**THE HON. SRI C. SUBRAMANIAM** :—“ I do not think that that would satisfy anybody.”

**SRI S. N. SOMAYAJULU** :—“ அங்கு கட்டடம் கட்டுவதற்கோ அல்லது வேறு ஸ்தாபனங்கள் அமைப்பதற்கோ சட்டங்கள் விரோதமாக இருக்கின்றன. ஆகவே அம்மாதிரி தடையாக இருக்கிறதென்று தெரியவருகின்ற சட்டங்கள் தளர்த்தப்படுமா அல்லது நீக்கப்படுமா என்று கேட்கிறேன்.”

**THE HON. SRI C. SUBRAMANIAM** :—“ That was why I said that facilities would be given if any private body came forward to put up a monument there.”

**SRI C. KANDASAMY** :—“ முதலிலே பாஞ்சாலங்குறிச்சியிலுள்ள கோட்டை சரித்திர பூர்வமான விசேஷத்தைப் பெற்றிருப்பதால், சரித்திர பூர்வமான சின்னங்களைப் பாதுகாப்பது அரசாங்கத்தின் கடமையாகவும் இருப்பதால், அக் கோட்டையை செப்பனிட அரசாங்கம் முன் வருமா என்று கேட்கிறேன்.”

**THE HON. SRI C. SUBRAMANIAM** :—“ I do not know whether there are monuments as such existing which need protection now. But the question is that some monuments should be erected for the purpose of perpetuating the memory of particular individuals.”

**SRI C. KANDASAMY** :—“ The question is whether the Government have any proposal to repair the Fort at Panchalankurichi.”

**THE HON. SRI C. SUBRAMANIAM** :—“ I understand that there is no fort in existence now. Therefore, there is no question of repairing any fort. We will have to put up a monument hereafter so that we may perpetuate his memory.”



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*Sale of the grain " Chokku Varaharisi ".*

\* 308 Q.—SRI C. KANDASAMY : Will the Hon. the Minister for Health be pleased to state—

(a) whether any report about persons taking ill due to using the kind of grain known as Chokku Varaharisi was received by the Government; and

(b) if so, what action the Government have taken to prevent the selling of this sort of grain?

THE HON. SRI A. B. SHETTY :—“(a) Yes, Sir, relating to the incident in some villages of Tiruvannamalai taluk of North Arcot district.

“(b) All the unsold and unused stocks of the grain were seized. The people of the town and the adjacent villages were warned by beat of tom-tom to avoid purchasing and eating of that grain. The vendors were also asked not to sell the stocks of this grain. Special slides were put up in the local cinema theatres giving the people the information about the matter.”

MR. SPEAKER :—“There are many questions to be answered to-day. So, I pass on to the next question.”

*Appointment of hereditary village officers.*

\* 309 Q.—SRI M. S. MOGRAL : Will the Hon. the Minister for Revenue be pleased to state whether the Government have got any scheme to replace the present system of hereditary appointment of village officers by suitably qualified personnel without regard to hereditary claims?

THE HON. SRI M. A. MANICKAVELU NAICKER :—  
“This is one of the recommendations made to Government by the Land Revenue Reforms Committee. The matter is under examination.”

SRI Y. MANJAYA SHETTY :—“In view of the excellent and loyal services rendered to the Government by the hereditary village officers from time to time, without minding the low salary that they are getting, will the Government consider the desirability of continuing the present system?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—  
“That is why the Government are carefully examining the question.”

*Allegations against the Police at Srivaikuntam.*

11-40 a.m. \* 310 Q.—SRI M. KALYANASUNDRAM : Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government have received any complaint against the Police at Srivaikuntam in Tirunelveli district that they are taking away the posters of the Communist Party from where they have been posted; and

(b) if so, the action taken thereon?



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**THE HON. SRI C. SUBRAMANIAM :—**“(a) & (b) The Government have not received any such complaint against the Srivaikuntam Police. Enquiries show that on the 5th April 1954 the Srivaikuntam Police seized a placard from a person who was found affixing it to an electric post without getting permission either from the Electrical Engineer or from the Executive Officer of the Panchayat Board. The placard was sent to Sub-Magistrate's Court and the person concerned was charged with an offence under section 71 (xvi) of the Madras City Police Act. The case ended in the discharge of the accused.”

**SRI M. KALYANASUNDRAM :—**“கனம் சபாநாயகர் அவர்களே, வழக்கு தொடரப்பட்ட ஒரு சம்பவம் இருந்திருக்கலாம். அதுவன்றி விவசாயிகள் சங்கக் காரியாலயத்திற்கு முன்பும், கம்யூனிஸ்ட்டுக் கட்சிக் காரியாலயத்திற்கு முன்பும் வைக்கப்பட்டிருந்த போஸ்டர்களுமே சேர்த்து எடுத்துப் போகப்பட்டிருக்கின்றன என்பது எங்களுடைய காரியாலயத்திற்கு வந்திருக்கக் கூடிய ரிபோர்ட் ஆகும். அது குறித்து மந்திரி அவர்களுக்கு நான் ஒரு கடிதம் எழுதியிருக்கிறேன். அதன்மேல்தான் விசாரணை நடந்திருக்கிறது என்று மந்திரி அவர்கள் கொடுத்த பதிலிலிருந்து நான் அறிகிறேன். இது விஷயமாக வேறு யாராவது அதிகாரிகளை நியமித்து பகிரங்க விசாரணை நடத்துவதற்கு சர்க்கார் ஆலோசனை செய்வார்களா? ஏனென்றால் இத்தகைய சம்பவங்கள் பல ஜில்லாக்களில் நடந்திருக்கின்றன. தஞ்சாவூர் ஜில்லாவிலிருந்து சில தினங்களுக்கு முன் பல ரிபோர்ட்டுகள் எங்களுடைய காரியாலயத்திற்கு வந்திருக்கின்றன. ஆகவே, இதைத் தக்கபடி விசாரணை செய்வார்களா?”

**THE HON. SRI C. SUBRAMANIAM :—**“I called for a report from the Collector of the Tirunelveli district after I heard from Sri M. Kalyanasundram and it is only on the basis of that report I have framed my answer. Therefore, there is no question of anything being removed either from the Communist Party office or from any other person.”

**SRI P. RAMAMURTHI :—**“திருநெல்வேலி ஜில்லா கலெக்டர் இது சம்பந்தமாக என்ன விசாரணை நடத்தினார் என்பதற்கு மந்திரி அவர்கள் ஏதாவது சொல்ல முடியுமா?”

**THE HON. SRI C. SUBRAMANIAM :—**“He held an appropriate enquiry concerning this matter.”

**SRI P. RAMAMURTHI :—**“குறிப்பிட்ட விசாரணை சம்பந்தமாக கலெக்டர் அவர்கள் யார் யாரை விசாரணை செய்தார்கள் என்ற தகவல்களைச் சேகரிப்பதற்கு சர்க்கார் முயற்சி செய்வார்களா?”

**THE HON. SRI C. SUBRAMANIAM :—**“I do not think this matter deserves such an elaborate enquiry to get the information from the Collector as to whom all he enquired and all that.”



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*Defalcation in the Provincial Co-operative Marketing Society, Madras.*

\* 311 Q.—SRI P. RANGASWAMI REDDIAR : Will the Hon. the Minister for Health be pleased to state—

(a) whether about 1½ lakhs of rupees were defalcated in the Provincial Co-operative Marketing Society, Madras ;

(b) if so, the designations of persons concerned in the said defalcation ;

(c) whether the said persons were proceeded against and made responsible for the amount ;

(d) how much amount was spent in taking action against office-bearers ; and

(e) whether any amount was realized from them, and if so, how much ?

THE HON. SRI A. B. SHETTY :—“(a) Yes, Sir. The amount defalcated is estimated at about Rs. 1.99 lakhs.

“(b) The persons concerned were (1) the paid Secretary, (2) the cashier, (3) main godown-keeper, (4) his assistant and (5) the godown-keeper of the Triplicane Branch.

“(c) Yes, Sir. Criminal cases were filed against the persons concerned. The society has also filed arbitration references for the recovery of a sum of Rs. 1 lakh against the persons concerned, and their movable properties have been conditionally attached. As the society wanted to prove the claim with the records, which have been filed in the High Court in connexion with the appeal against the conviction of some of these persons, the arbitration references have been adjourned. The registration of the society has since been cancelled. As soon as the society's records are received back, the liquidator will file claims for the balance of the amount involved in the misappropriation.

“(d) Only a sum of Rs. 80-15-0 has so far been spent in taking action against the ex-employees.

“(e) No amount has been realized so far.”

SRI P. RANGASWAMI REDDIAR :—“Am I to understand that the society has been dissolved and if so, may I know what happened to the reserve fund, the benefit fund and other funds of the society ? ”

THE HON. SRI A. B. SHETTY :—“The registration of the society has been cancelled. I have no information about other matters.”

SRI M. NARAYANA KURUP :—“The Hon. Minister said that claims would be filed after the receipt of the records from the Court. If in the meanwhile the claims become time-barred, may I know what the Hon. Minister proposes to do ? ”

THE HON. SRI A. B. SHETTY :—“I have no information about that matter. I shall have to look into it.”



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SRI K. VINAYAKAM :—“ Is it not a fact that the Registrar of Co-operative Societies is the ex-officio Director of this Marketing Society? If so, what was he doing all the time when defalcation to the tune of Rs. 1½ lakhs was being carried on in the society? After finding out that there was defalcation, is it proper on the part of the Registrar to depute a junior officer working under him to go through the accounts and find out who was responsible for it? Will this junior officer find fault with the senior officer, viz., the Registrar of Co-operative Societies who had slept over this matter for a long time? ”

MR. SPEAKER :—“ Is this matter before a court? ”

SRI K. VINAYAKAM :—“ No, Sir.”

THE HON. SRI A. B. SHETTY :—“ It is over, Sir.”

MR. SPEAKER :—“ Then, the Hon. Minister may answer the question.”

THE HON. SRI A. B. SHETTY :—“ In February 1952, the Additional Joint Registrar inspected the Provincial Co-operative Marketing Society and discovered some defalcation. Immediately, a Co-operative Sub-Registrar was deputed to investigate the misappropriation and also to hold a thorough enquiry into the affairs of the society. As a result of this enquiry, this misappropriation was discovered. The matter was then placed in the hands of the Police and they filed six cases against the employees and they (employees) have been punished.”

SRI P. RANGASWAMI REDDIAR :—“ The Hon. Minister said that no amount was realized so far. May I know what happened to the security deposits of those who misappropriated the society's money and what happened to the assets and liabilities of the society? May I also know why no action was taken against the directors of the society? ”

THE HON. SRI A. B. SHETTY :—“ I cannot give an answer off-hand.”

DR. K. B. MENON :—“ Since defalcations are so widespread and numerous in the department and since this matter has been raised on the floor of the Assembly a number of times (Mr. Speaker : Almost every day!), we are inclined to suspect that there is something radically wrong with the department. Under the circumstances, will the Hon. Minister concerned institute an enquiry into this matter and submit a report to the House? ”

THE HON. SRI A. B. SHETTY :—“ I have answered a similar question yesterday on the floor of the House. These questions direct the search-light on a few dark spots. I may tell the hon. Members that the co-operative movement has made a very great progress in this State. Eminent co-operators



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from other States have paid high compliments to the Madras State which is leading other States in the matter of co-operation."

*Half-yearly Irrigation Conferences.*

\* 312 Q.—SRI K. ARANGANATHAN: Will the Hon. the Minister for Public Works be pleased to state the purpose of holding Half-yearly Irrigation Conferences?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—"To afford increased opportunities for consultation between ryots and Government officers on irrigation matters, to discuss difficulties experienced by the ryots and consider possible prompt remedial measures, where necessary and to explain to ryots the problem of equitable distribution of the available water in times of scarcity and obtain their co-operation in introducing and working a turn system."

SRI K. ARANGANATHAN:—"Is the Hon. Minister aware that only matters relating to major irrigation schemes are discussed in the Conference and the subject of minor irrigation schemes is not at all discussed there? As the Minor Irrigation Supervisors are not attending the Conference at present, will the Government consider the question of asking them also to attend the Conference? As I understand that many of the recommendations of the Conference are not implemented, will the Government issue instructions to the authorities concerned that they should implement the recommendations of the Conference without delay?"

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—"Sir, it is not correct to say that many of the recommendations of the Conference have not been implemented. As a matter of fact, many of the schemes recommended by the Conference have been executed and there are only five schemes which have not been executed in 1952 and twelve schemes in 1953. As for associating the Minor Irrigation Supervisors with the Conference, we shall have to examine the suggestion of the hon. Member."

SRI S. THINAKARASAMI THEVAR:—"Sir, may I know from the Hon. Minister for Public Works whether the Government have given strict instructions to the authorities concerned to carry out the suggestions of the non-official members of the Irrigation Conference?"

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—"All those suggestions and recommendations come to the Government who review them. The Government do not give any such instructions to the officers as mentioned by the hon. Member."

SRI S. SWAYAMPRAKASAM:—"From my experience, I find that due notice is not given to the ryots. Will the Government



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be pleased to issue necessary instructions to the authorities concerned that they should give due notice to the ryots who are likely to be affected by the decisions that may be taken at the Irrigation Conference? "

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHU-PATHI :—" Certainly it should be done. If it is not done, I shall look into it."

SRI P. CHELLATHURAI :—" அரை ஆண்டு நீர்ப்பாசன மகாநாட் டில் செய்யப்படும் தீர்மானங்களை அரசாங்கம் அப்படியே ஏற்றுக்கொள்ள வேண்டுமென்ற நிற்ப்பந்தம் உண்டா ? " 11-50 a.m.

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHU-PATHI :—" No, Sir."

SRI K. R. NALLASIVAM :—" புதிய பாசன பிரதேசங்களில் புதிய தொந்தரவுகள் ஏராளமாக இருப்பதால் நீர்ப்பாசன மகாநாடு ஆறு மாதங் களுக்கு ஒரு தடவை கூடுவதற்குப் பதிலாக மூன்று மாதங்களுக்கு ஒரு தடவை கூடுவதற்கான ஏற்பாட்டைச் செய்வதற்கு சர்க்கார் ஆலோசிக்குமா ?"

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHU-PATHI :—" Hon. Members are complaining about the non-implementation of the decisions taken once in six months. Now the hon. Member who has just now put the question, wants them to meet once in three months. Then my position would be made awkward."

SRI K. V. RAMASAMI :—" அரை வருஷ நீர்ப்பாசன மகாநாடு அரை நான் தான் நடைபெறுகிறது. அதாவது காலை 11 மணிக்கு ஆரம் பித்து மாலை 3 மணிக்கு முடிவடைந்துவிடுகிறது. ஏராளமான விவசாயிகள் மகாநாட்டுக்கு வருகிறார்கள். அவர்கள் தங்களுடைய குறை களை அதிகாரிகளிடத்தில் எடுத்துச் சொல்வதற்குப் போதிய அவகாசம் இருப்ப தில்லை. அதிகாரிகளுக்கும் அவைகளுக்குப் பதில் சொல்வதற்கு நேரம் இருப்பதில்லை. ஆகவே நீர்ப்பாசன மகாநாடு அரை நாளில் முடிவுறுவதற் குப் பதிலாக இரண்டு நாட்கள் வரை நடத்தப்படும்படியான ஏற்பாட்டை சர்க்கார் செய்வதற்கு முயற்சி செய்வார்களா ?"

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHU-PATHI :—" We shall ask the Collectors to see to that, Sir."

### *Location of fire stations in the City.*

\* 313 Q.—SRI N. K. PALANISAMY : Will the Hon. the Minister for Finance be pleased to state the basis on which the fire stations are located in the City of Madras?

THE HON. SRI C. SUBRAMANIAM :—" The location of fire stations in the Madras City is based on the fire risks involved in the respective areas and the availability of Government sites for erecting the buildings."

MR. SPEAKER :—" I think a few days ago a similar question came up before the House."



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**SRI N. K. PALANISAMY** :—“ சென்ற ஏப்ரல் மாதத்தில் லால் குண்டா என்ற சேரியில் நெருப்புப் பிடித்துக்கொண்டு fire engine வராத காரணத்தினால் 240 வீடுகள் தீப்பிடித்து சாம்பலாகி போயின. ஆதலால் fire engine-களை பெரிய சேரிகள் பக்கத்திற்கு மாற்றுவதற்காக நடவடிக்கை எடுக்கப்படுமா என்று அறிய விரும்புகிறேன்.”

**THE HON. SRI C. SUBRAMANIAM** :—“ Sir, the cheris are located throughout the City and the fire stations also are located throughout the City. In respect of cheris, perhaps quick information is not given to the fire stations. After all the distance to the fire station might be about a mile or a half from the cheri and that does not make much of a difference if quick information is given to these stations.”

**SRI C. RAJAM RAMASAMI** :—“ May I know the number of fire stations in the City of Madras and the number of fire engines available in those stations for service? ”

**THE HON. SRI C. SUBRAMANIAM** :—“ There are eight fire stations. As for number of engines available for service, I would like to have notice, Sir.”

**SRI M. PALANIYANDI** :—“ நெருப்பு பிடித்துக்கொண்டால், கிராமங்களில் நெருப்பு அணைக்கும் மெஷின்களை கொண்டுவருவதற்கு டெலிபோன், தந்தி போன்ற வசதிகள் கிடையாது. அப்படியிருக்கும்போது அந்த நெருப்பு அணைக்கும் மெஷின்களை அந்தந்த தாலுக்காக்களுக்கு மாற்று வார்களா என்று அறிய விரும்புகிறேன்.”

**THE HON. SRI C. SUBRAMANIAM** :—“ Sir, this question is with reference to the City, Sir.”

*Provision of houses on hire-purchase system in the City.*

\* 314 Q.—**SRI A. RATNAM** : Will the Hon. the Minister for Health be pleased to state the schemes of the House Building Societies to provide houses on hire-purchase basis in the City which have been aided by the Government?

**THE HON. SRI A. B. SHETTY** :—“ In the Madras City, the Government have sanctioned loans to the Madras Co-operative House Construction Society to provide houses on hire-purchase system. The society has constructed four colonies, two at Adyar, one at Ayyanavaram and one at Mylapore.”

**SRI A. RATNAM** :—“ May I know, Sir, what are the terms of the hire-purchase system and whether any non-gazetted officers or middle-class men have been benefited by this scheme? ”

**THE HON. SRI A. B. SHETTY** :—“ The terms of the hire-purchase system are, in 20 years they become owners of the house by paying a little more than the rent amount fixed.”

**SRI M. R. RAMACHANDRAN** :—“ Sir, will the Government issue instructions to stop construction of houses on the models built at Adyar and Ayyanavaram and to build houses for middle-class people and poor class people on the same hire-purchase system? ”



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THE HON. SRI A. B. SHETTY :—“ There are different types of houses for people of different status.”

*Grant of waste lands in Malabar.*

\* 315 Q.—SRI M. NARAYANA KURUP : Will the Hon. the Minister for Revenue be pleased to state—

(a) whether the Government conducted any survey of the waste lands of Malabar for the purpose of section 52 of the Malabar Tenancy Act; and

(b) whether any waste lands have been given on lease for cultivation since 1951 either by the land-owner or by the Government in pursuance of section 52 of the Malabar Tenancy Act?

THE HON. SRI M. A. MANICKAVELU NAICKER :—

“ (a) The answer is in the negative.

“ (b) A few applications received for the grant of waste lands are under enquiry.”

SRI M. NARAYANA KURUP :—“ Sir, I am not asking whether any applications were received by the Collector. I want to know whether between the year 1951 and the year 1954 the Collector exercised his powers under section 52 of the Malabar Tenancy Act and if so, with what result? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—

“ Yes, Sir, the Government are exercising the right under section 52. According to rules framed under that section certain procedure has to be adopted. Three months' notice has to be given to the landholder. It involves a laborious procedure and so it takes some time.”

SRI K. MADHAVAN NAMBIAR :—“ May I know, Sir, whether any more lands remain unsurveyed in Malabar and if so, will the Government take early steps to survey waste lands and distribute them to landless peasants? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—

“ Sir, the bottleneck is not due to want of survey. It is due to the procedure to be adopted. That takes some time. Notice has to be given and the reply obtained. Then only the matter can be decided.”

SRI T. C. NARAYANAN NAMBIAR :—“ Sir, the Hon. Minister was stating that under rule 6 of the Malabar Tenancy Rules certain procedure has to be observed in leasing private waste lands in favour of the peasants. Is it a fact that last year, that is 1953, also the Government informed those who represented in this regard that there are certain procedural matters to be observed and there is no time to observe those procedures before the commencement of the agricultural season and therefore their applications were rejected? Now petitions have been submitted to the



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Collector sufficiently in advance to enable the Collector to take action in time under section 52 (b) of the Act to lease the lands to them as the landholders were refusing to give the lands to the tillers of the soil on the ground that rent has been fixed by the Government, which of course is not in favour of *janmis*."

MR. SPEAKER :—" I think the hon. Member is making a speech. Let him put it in the form of a question."

SRI T. C. NARAYANAN NAMBIAR :—" It is not a speech, Sir. I am explaining the question."

THE HON. SRI C. SUBRAMANIAM :—" No explanation is necessary, Sir. He may put it in the form of a question."

SRI T. C. NARAYANAN NAMBIAR :—" The point is this, Sir. Are the Government aware that in spite of the fact that the tenants of Malabar applied to the Collector of Malabar in time and sufficiently early also to take action under section 52 (b) of the Malabar Tenancy Act, the Government did not take any action in the matter and if so, will the Government see to it that suitable action is taken immediately? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, it is wrong to say that the Government are not taking any action. Recently also the Government passed orders empowering all Revenue Officers even of the rank of Deputy Tahsildars to go into the question. We are trying to do our best, but the thing will naturally take some time."

SRI M. NARAYANA KURUP :—" Sir, I want to know how many notices were issued by the Collector during these three years and whether any inch of ground was granted on lease under that provision? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" To furnish the exact number, I should like to have notice, Sir."

*Levy of property-tax on the private properties of the ex-Ruler of Pudukkottai.*

\* 316 Q.—SRI M. KALYANASUNDRAM: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Municipal Commissioner, Pudukkottai, made any representations to the Government regarding levy of house-tax for the palaces and buildings belonging to the ex-Ruler of Pudukkottai;

(b) if so, the nature of the proposals; and

(c) the action taken by the Government thereon?

THE HON. SRI S. S. RAMASAMY PADAYACHI :—" (a) Yes, Sir.



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(b) & (c) On a reference by the Commissioner, Pudukkottai Municipality, in May 1949, he was informed that the private properties of His Highness the Raja of Pudukkottai in the municipality might be assessed to property-tax from the 1st April 1949, the date from which the Madras District Municipalities Act was extended to the municipality. But as the Agreements of Merger and the Covenants establishing the various unions of States provide that the rulers and certain members of their families would be entitled to all personal privileges enjoyed by them immediately before the 15th August 1947 and as the Government of India had instructed that the practice prevailing before the 15th August 1947 should be continued as regards exemption from local taxation and that in the event of house-tax being levied in or extended to the areas formerly constituting States, the main residential palaces of the rulers should be exempt from this tax, the Commissioner was advised to exempt the residential palaces of the Raja in the municipality from property-tax, if they were exempt before the 15th August 1947. On the representation of the Private Secretary to the Raja, the question of exemption of all the immovable properties of the Raja from municipal property-tax was further examined in detail by Government. Since all the buildings owned by the Raja were exempt from local taxation prior to the merger, Government decided that all the buildings declared or allotted as private properties of the Raja should continue to be exempt from tax irrespective of the fact that some of the buildings were fetching rent after the merger. The Commissioner, Pudukkottai Municipality, was advised accordingly to exempt from local taxation all buildings allotted or declared by the Government as private properties of His Highness the Raja of Pudukkottai."

**SRI M. KALYANASUNDRAM :—**“புதுக்கோட்டை நகரத்தை எடுத்துக்கொண்டால், பாதி நகரத்திலுள்ள பங்களாக்களும் கட்டடங்களும் பழைய மகாராஜாவை சேர்ந்தவை என்று கனம் மந்திரி அவர்களே ஒப்புக் கொண்டிருக்கிறார். அந்தக் கட்டிடங்களுக்கும், பங்களாக்களுக்கும் வரி விலக்கு அளிக்கப்பட்டிருக்கிறது. ஆனால், அரசர் அந்தக் கட்டடங்களிலிருந்து மாத்திரம் வாடகை வசூலித்து வருகிறார். அதனால் முனிசிபாலிட்டிக்கு வருமானம் குறைகிறது. இந்தக் கட்டடங்களுக்கு வரி விதிக்க மத்திய சர்க்காருக்கு இந்த மாகாண சர்க்கார் தெரிவித்தார்களா இல்லையா? அப்படி இல்லையானால் ஏன் தெரிவிக்கவில்லை?”

**THE HON. SRI C. SUBRAMANIAM :—**“Sir, this is a matter governed by the agreement we have entered into with the Raja of Pudukkottai at the time of the merger. I think we will have to honour the commitments we have already made. The question of revision of these agreements will come up sometime afterwards, when I am sure the question raised by the hon. Member will be considered.”



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*Death of one Kunhiraman, Munderi amsam, Chirakkal taluk, North Malabar.*

12 noon. \* 317 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Finance be pleased to state—

(a) whether a mahazar signed by about 300 persons has been received by the Government from the residents of Munderi amsam, Chirakkal taluk, North Malabar, alleging that the dead body of Sri E. Kunhiraman, a resident of the place, was found hanging under suspicious circumstances on 22nd March 1954, that it was a case of murder to be investigated into by the authorities, that the suspected culprits have been let free to move about and that efforts to record the case as one of the suicide are being made by the local authorities; and

(b) if so, the action taken thereon?

THE HON. SRI C. SUBRAMANIAM :—“(a) Yes, Sir.

“(b) The Government have obtained from the Inspector-General of Police the report of the District Superintendent of Police in the matter, and they are satisfied that the death of the deceased Kunhiraman was due to asphyxia due to hanging and that it was a case of suicide.”

SRI K. P. GOPALAN :—“Sir, there are about 18 murder cases undetected and unnoticed by the police and this is one among those cases. Are the Government aware that the police did not take evidence even from the people of the locality who wanted to give evidence about this cold-blooded murder? May I request the Hon. Minister to make an enquiry into the matter and may I also request him to instruct the police people in Malabar that in future they should not take up such a callous attitude towards murder cases?”

MR. SPEAKER :—“How many requests can the hon. Member make to the Hon. Minister? He has made more than two requests to the Hon. Minister.” (Laughter.)

SRI P. RAMAMURTHI :—“The Chair must grant at least one request!”

SRI K. P. GOPALAN :—“My question is this. Are the Government aware that the police did not take evidence even from the people of that locality who were witnesses to the murder which took place in the night? If so, will the Government in future at least see that these murder cases are not neglected by the police by their callous attitude?”

THE HON. SRI C. SUBRAMANIAM :—“If the hon. Member is referring to the murder case of the kind referred to in the question, I may assure him that this is a case of suicide. As far as this case is concerned, we have made enquiries into the matter and the conclusion is that it is a case of suicide.



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I find that the reason given for the suicide is that one Narayanan Nambiar was responsible for it and not the hon. Member, Sri T. C. Narayanan Nambiar. (Laughter.) There was some love affair and the death was due to suicide."

MR. SPEAKER :—" I will take five more minutes and finish the rest of the questions."

*Liquidation of co-operative stores in South Kanara.*

\* 318 Q.—SRI M. NARAYANAN NAMBIAR : Will the Hon. the Minister for Health be pleased to state—

(a) the number of co-operative stores registered in South Kanara till December 1953;

(b) the total amount of share capital collected;

(c) whether any stores have been ordered to be liquidated so far; and

(d) if so, why?

THE HON. SRI A. B. SHETTY :—" (a) Eighty-three.

" (b) Rs. 4,15,196.

" (c) Twenty-one stores have been ordered to be liquidated so far.

" (d) The main reasons for the liquidation are—

(i) the societies sustained loss in their business after decontrol;

(ii) there was no enthusiasm on the part of the managements to work the institutions successfully and in certain cases there was mismanagement of the institutions; and

(iii) the General Body of societies in certain cases, voluntarily favoured liquidation."

SRI M. NARAYANAN NAMBIAR :—" May I know what the Government propose to do with the reserve fund of those stores which are under liquidation? And may I also know whether the Government will consider the desirability of transferring the reserve fund of those stores to Multi-purpose Co-operative Societies which are functioning in those areas? "

THE HON. SRI A. B. SHETTY :—" This is a separate question."

DR. K. B. MENON :—" Is the Hon. Minister aware that quite a number of stores which have been ordered to be liquidated, have not been liquidated for the last three or four years? If so, is it a device to swell up the number of stores in the State so that the alleged international reputation may be maintained? "

THE HON. SRI A. B. SHETTY :—" As I said, due to decontrol and derationing, these stores have suffered loss in their business and some of them are going into voluntary liquidation. Liquidation of a store is resorted to only as a last measure, when all attempts to revive it prove unsuccessful."



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*Extension of electric supply from Mangalore to Puttur,  
South Kanara.*

\* 319 Q.—SRI K. VENKATRAMANA GOWDA: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether a proposal for the extension of electric supply from Mangalore to Puttur in South Kanara is under examination; and

(b) if so, the present stage of the scheme?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“(a) & (b) The feasibility of extending electric supply to Puttur Panchayat Board area from Mangalore is under examination by the Electricity Department and suitable action will be taken by the Government on receipt of the final report.”

*Recruitment to the Madras State Judicial Service.*

\* 320 Q.—SRI T. C. NARAYANAN NAMBIAR (on behalf of Sri V. R. Krishna Ayyar): Will the Hon. the Minister for Finance be pleased to state—

(a) the proportion of the subordinate judiciary recruited, under existing rules (i) from the Bar and (ii) from the services; and

(b) whether the Government have any proposal to prescribe any test in handwriting for Subordinate Judicial Officers?

THE HON. SRI C. SUBRAMANIAM:—“(a) The proportion of candidates recruited from the Bar and from the Services to the Madras State Judicial Service is 11 : 9.

“(b) No, Sir.”

*Abolition of the Board of the City Improvement Trust,  
Madras.*

\* 321 Q.—SRI S. PAKKIRISWAMI PILLAI: Will the Hon. the Minister for Health be pleased to state—

(a) whether there was a notification made by the Government to the effect that the Board of the City Improvement Trust, Madras, was abolished and that the powers vested with the Chairman of the City Improvement Trust were transferred to the Inspector of Municipal Councils and Local Boards;

(b) the modifications made thereafter; and

(c) the reasons for making such modifications?

THE HON. SRI A. B. SHETTY:—“(a) No, Sir.

“(b) & (c) The questions do not arise.”



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*Construction of an anicut for Thirur-Ponnani river,  
South Malabar.*

\* 322 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Public Works be pleased to state with reference to the answer given to Starred Question No. 557 on 7th May 1954, what action the Government have taken regarding the construction of an anicut for Thirur-Ponnani river, South Malabar, and a bund for Konolithodu at Koottai?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ Particulars called for from the Chief Engineer are awaited.”

*Supply in midday meals in elementary schools in  
Ponneri taluk.*

\* 323 Q.—SRI A. RATNAM : Will the Hon. the Minister for Finance be pleased to state—

(a) the number of schools in Ponneri taluk run by the Harijan Welfare Department, the District Board and private parties; and

(b) the total number of schools and the number of students given midday meals in that taluk in the year 1952?

THE HON. SRI C. SUBRAMANIAM :—“ (a) It is presumed that the hon. Member refers only to the number of elementary schools in Ponneri taluk. The number of such schools in Ponneri taluk run by the Harijan Welfare Department, District Board and private parties is, as follows :—

|                            |     |     |     |    |
|----------------------------|-----|-----|-----|----|
| Harijan Welfare Department | ... | ... | ... | 12 |
| District Board             | ... | ... | ... | 75 |
| Private parties            | ... | ... | ... | 29 |

“ (b) Midday meals were supplied in all the 12 schools under the control of Harijan Welfare Department. The total number of pupils supplied with midday meals during 1952-53 was 11,584.

In this connexion, I request the hon. Member that, instead of putting separate questions in respect of each taluk on different occasions, if he puts a question concerning more than one taluk at a time, it would be convenient for the Government to prepare answers and save a lot of time and trouble to the Government.”

*Laboratory for conducting research work in Ayurvedic  
medicines in Malabar.*

\* 324 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Health be pleased to state whether it is a fact that the Government propose to start a laboratory in Malabar for conducting research work in Ayurvedic medicines?

THE HON. SRI A. B. SHETTY :—“ No, Sir.”



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*Refund of lease amount in respect of lands submerged in  
Malampuzha area.*

\* 325 Q.—SRI M. NARAYANA KURUP : Will the Hon. the Minister for Revenue be pleased to state—

(a) whether the premium or advance rent received by the Government for the lease of lands in the Malampuzha area which were later submerged under water, has been returned to the lessees ; and

(b) if so, the amount returned so far?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“(a) No, Sir. The question of refund of the lease amount is under consideration.

“(b) Does not arise.”

*Payment of grant to libraries in Malabar.*

\* 326 Q.—DR. K. B. MENON : Will the Hon. the Minister for Finance be pleased to state—

(a) the number of libraries functioning in Malabar that are subsidised by the State; and

(b) the total subsidy given to them last year?

THE HON. SRI C. SUBRAMANIAM :—“(a) & (b) The number of libraries, which received grant from State funds during 1953-54, is 68. The total expenditure incurred on the payment of the grant is Rs. 4,380.”

*Grant from the Central Government for slum improvement.*

\* 327 Q.—SRI A. RATNAM : Will the Hon. the Minister for Health be pleased to state—

(a) whether the State Government have applied to the Government of India for subsidy towards slum improvement and acquisition of lands for assignment to the Harijans in the State;

(b) the subsidy and the direction, if any, received from the Government of India ;

(c) whether any loan has been granted by the Government of India to this State for the improvement of slums ; and

(d) whether the Government will be pleased to place a copy of the correspondence on the table of the House?

THE HON. SRI A. B. SHETTY :—“(a) The State Government applied to the Government of India for a block grant for slum improvement and provision of houses for the poorer classes of people including Harijans, but not exclusively for Harijans,



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“(b) The Government of India have informed this Government that they are not in a position to sanction any grant and that their assistance might take the shape of interest-bearing loans.

“(c) No, Sir.

“(d) It will not serve any useful purpose to place a copy of the correspondence on the table of the House at the present stage.”

*Construction of Nanikkavu Thazha Anicut in Ramanthali village, North Malabar.*

\* 328 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Public Works be pleased to state—

(a) the amount spent up to date by the Government under the Grow More Food Scheme in constructing Nanikkavu Thazha Anicut (Cheerpu) in Ramanthali village in Chirakkal taluk, North Malabar; and

(b) the present condition of the anicut?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“(a) Rs. 5,597.

“(b) The anicut is functioning properly.”

*Concessions granted to Gazetted officers drawing a monthly salary of less than three hundred rupees.*

\* 329 Q.—SRI K. KUNHI MOHAMED SHAFEE : Will the Hon. the Minister for Finance be pleased to state—

(a) the categories of Gazetted officers drawing a basic salary of less than three hundred rupees per mensem and the basic pay of each such category; and

(b) whether such officers are given any of the concessions granted to non-gazetted officers whose basic pay is less than three hundred rupees?

THE HON. SRI C. SUBRAMANIAM :—“(a) A statement<sup>a</sup> showing the categories of gazetted officers whose minimum pay is less than Rs. 300 per mensem and showing the scales of pay of the respective posts held by them is placed on the table of the House.

“(b) The non-gazetted Government servants of the State and their families are eligible for free medical aid when admitted to Government Medical Institutions, including free accommodation, free diet, nursing and medical advice, free X-ray examination and free treatment, including surgical treatment. Free medical aid is admissible to gazetted officers and their families also with this modification that they should pay the



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diet charges and the cost of certain special and expensive drugs. Non-gazetted Government servants occupying Government quarters will have to pay as rent 10 per cent of their emoluments or the standard rent of the quarters, whichever is less and this concession is enjoyed by the gazetted officers also. No other concessions granted to non-gazetted officers have been granted to the gazetted officers."

[Note.—An asterisk (\*) at the commencement of a speech indicates revision by the Member.]

## II.—BUSINESS OF THE HOUSE.

### DISCUSSION *re* PRIVILEGE MOTION ABOUT INTERCEPTION OF LETTERS BY SPECIAL BRANCH POLICE.

12-10 P.M. MR. SPEAKER :—" I wish to know whether we shall take up the Privilege Motion now for discussion."

THE HON. SRI C. SUBRAMANIAM :—" Mr. Speaker, Sir, I would like this to be taken up to-morrow. I have not received the necessary information from the department concerned. As soon as I get the information, I shall inform the Hon. Speaker. I think, Sir, it will be possible to take up the motion for discussion to-morrow."

SRI K. P. GOPALAN :—" May I know from the Hon. Speaker when the new rules which this House approved will come into force? "

MR. SPEAKER :—" The rules have been sent to the press for being printed. The rules will come into force as soon as I sign the blue copy of the printed rules."

\* SRI M. KALYANASUNDRAM :—" ஸார், இந்த அசெம்பிளியின் புதிய விதிகள் எப்பொழுது அமுலுக்கு வரும் என்று கேட்கப்பட்டது சேம்பரில்."

MR. SPEAKER :—" அது அச்சடிக்கப்பட்ட பிறகு நான் அதில் கையெழுத்துப் போடவேண்டும். அது முதற்கொண்டுதான் புதிய விதிகள் அமுலுக்கு வரும்." அதை நான் சபையில் சொல்லுவேன்."

\* SRI M. KALYANASUNDRAM :—" பழைய விதிகளின்படி நாம் அநேகம் கமிட்டிகளை நியமித்திருக்கிறோம். அவைகள் அப்படியே இருக்க வேண்டுமா ? அந்தக் கமிட்டிகள் எல்லாம் பழைய ரூல் 77-ன்படி நியமிக்கப் பட்டன என்று சொல்லப்பட்டிருக்கிறது. இப்பொழுது அந்த பழைய ரூல் 77 என்பதற்கு வேறு எண் கொடுக்கப்பட்டிருக்கிறது. அந்த முறையில் அந்த எண்ணிக்கையை இங்கு மாற்றுவதற்கு இந்த சபையில் நாம் ஏதாவது நடவடிக்கை எடுத்துக்கொள்ள வேண்டுமா ? அதற்கு வேண்டுமென்றால் ஒரு தீர்மானம் கூட கொண்டுவரலாம் என்று கேட்டுக்கொள்கிறேன்."

THE HON. SRI C. SUBRAMANIAM :—" I think there will be no difficulty in the matter and the Legislature Secretariat can attend to it."



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SRI V. K. RAMASWAMI MUDALIAR :—“ May I know whether printed copies will be supplied to all Members as soon as the rules are printed? ”

MR. SPEAKER :—“ Yes. As the Government want to study the position thoroughly, we shall take up the Privilege Motion to-morrow. Now we shall take up the next item on the agenda.”

### III.—GOVERNMENT BILLS.

#### (1) THE MADRAS GENERAL SALES TAX (THIRD AMENDMENT) BILL, 1954—*cont.*

MR. SPEAKER :—“ The Hon. Minister for Revenue has already replied to the debate and I shall now put the motion moved by the Hon. Minister to vote. The question is—

‘ That the Madras General Sales Tax (Third Amendment) Bill, 1954, be taken into consideration at once.’ ”

The motion was put and carried.

#### Clause 2.

\* SRI M. KALYANASUNDRAM :—“ ஸார், இந்த மசோதாவை நாங்கள் ஏற்கனவே எதிர்த்திருக்கிறோம். இப்பொழுது வந்திருக்கும் மசோதாவின் முக்கியமான பிரிவு இந்த இரண்டாவது பிரிவுதான். இந்தப் பிரிவை நான் எதிர்க்கிறேன். ஏனென்றால், இதன்படி பருத்தி நூல் கலந்த பட்டு, இன்னும் நார்பட்டு, சேர்க்கைப்பட்டு, கம்பளி போன்றவைகள் 17 ஆவது எண்ணிலிருந்தும் அதற்கு மேற்பட்டவைகளெல்லாம் இந்த வரிக்குப் படுத்தப்படும் என்று சொல்லப்படுகிறது. அதுவும் எண்ணப்பொறுத்தவரையில் நான் நினைக்கிறேன், 35 ஆவது எண் வரையில் வரி விதிக்கப்பட்டதைப்பற்றி ஏற்கெனவே இந்த சபையில் மெஜாரிட்டி பலத்தை வைத்துக் கொண்டு நிறைவேற்றியிருக்கிறார்கள். அந்தச் சட்டமானது இன்னும் ஜனாதிபதியின் அங்கீகாரத்தைப் பெறவில்லை. நாட்டிலுள்ள சிறு தொழிலாளர்களிடமும் ஏழைகளிடமும் இந்தச் சட்டத்தைப்பற்றி இந்த அபிப்பிராயம்தான் நிலவிவருகிறது. இந்தப் பிரச்சினையை முடிவு செய்யாமல் இருக்கும்போது 17-ம் நம்பருக்கு மேல் 35-ம் நம்பர் வரையில் பருத்தி நூலோடு எது கலந்திருந்தாலும்கூட வரி விதிக்கப்படும் என்கின்ற நிலைமையில் இது கொண்டு போய்விடும். பருத்தி ஜவுளியில் கொஞ்சம் பட்டு அல்லது கம்பளி கலந்திருக்கும் என்கின்ற காரணத்தினால் இந்த வரி அவைகளுக்கும் விதிக்கப்படும் என்று நான் கருதுகிறேன். பெரும்பாலும் இந்த ஜவுளிகளை உபயோகிப்பவர்கள் ஏழை மக்களும் தொழிலாளர்களும் தான். சாதாரணமாக ஏழை மக்களும் விவசாயிகளும் நல்ல உயர்ந்த ஜவுளிகளை உபயோகிக்க முடியாது. அப்பேர்ப்பட்டவர்கள் இந்த ஜவுளிகளை உபயோகிப்படுத்தினால் இந்த வரி அவர்களையும் பாதிக்கும். ஆகையால்தான் இந்தப் பிரிவை நான் பலமாக எதிர்க்கிறேன். இதை கணம் மந்திரி அவர்கள் கவனத்தில் எடுத்துக்கொள்ளும்படியாகவும் கேட்டுக்கொள்ளுகிறேன்.”

\* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Mr. Speaker, Sir, I am now introducing any new principle in this Bill to be considered by the House. The House has already passed the Madras General Sales Tax (Amendment) Act, 1954, which provides



[Sri M. A. Manickavelu Naicker] [14th December 1954]

that a certain amount of extra tax should be collected on the sale of certain articles. When we re-examined the provisions of this Act, we found that there was some lacuna. It is not clear from the provisions of the existing legislation whether cloth made out of cotton yarn and yarn from any other material should be made liable to the additional tax or should be exempt from the payment of this additional tax. The idea underlying the legislation we have passed is that only cloth made wholly of cotton should be exempt from the additional tax, and that cloth made out of a mixture of cotton yarn and yarn from any other material like silk, wool, etc., should not be exempt from taxation. This Bill only clarifies this point and does not introduce any new principle or any new idea.

"With regard to giving of assent by the President to the legislation already passed, we will abide by whatever the President decides. On that score, the passing of a Bill need not be delayed."

Clauses 2 and 1 and the Preamble were put and carried.

THE HON. SRI M. A. MANICKAVELU NAICKER :—"Sir, I move—

*'That the Madras General Sales Tax (Third Amendment) Bill, 1954, be passed into law.'*"

MR. SPEAKER :—"The question is—

*'That the Madras General Sales Tax (Third Amendment) Bill, 1954, be passed into law.'*"

The motion was put and carried and the Bill was passed into law.

(2) THE MAPPILLA MARUMAKKATTAYAM (AMENDMENT) BILL, 1954.

THE HON. SRI C. SUBRAMANIAM :—"Mr. Speaker, Sir, I beg leave to introduce the Mappilla Marumakkattayam (Amendment) Bill <sup>a</sup>, 1954, and move—

*'That the Bill be taken into consideration at once.'*

"Sir, when the Malabar Tenancy (Amendment) Act, 1951, amending certain sections of the Nambudri Act, 1932, the Marumakkattayam Act, 1932, and the Aliyasantana Act, 1949, was passed, a similar section in the Mappilla Marumakkattayam Act, 1939, was not rectified, and this Bill has been brought forward to rectify that omission. It is only an extension of the principles already accepted. I hope the House will accept this Bill."

MR. SPEAKER :—"Motion moved—

*'That the Mappilla Marumakkattayam (Amendment) Bill, 1954, be taken into consideration at once.'*"

The motion was put and carried.



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Clause 2.

\* SRI P. S. KRISHNASAMY AYYANGAR :—" Sir, I beg to move the following amendment :—

*' In the proposed section 8 (1), omit the words " for consideration " occurring in line 5.'*

" Clause 2 of the Bill which seeks to substitute a new section for section 8 of the Mappilla Marumakkattayam Act, 1939, deals with three kinds of transfers—sale, mortgage and lease. There can be no sale without consideration. There can be no mortgage without consideration and there can also be no lease without consideration. Therefore, if we speak of a sale or a mortgage or a lease, such transactions should necessarily be supported by consideration and there cannot be transfers of any such category without consideration. One who knows the rudiments of law will laugh at us if we fail to omit the words ' for consideration ' in the proposed section 8 (1) of clause (2) of the Bill. The lawyer circles outside the House will have a very low opinion about the lawyer members of this House. I wish to repeat that there cannot be a sale without consideration, a mortgage without consideration and a lease without consideration, and that all categories of these transfers ought to be supported by consideration. A transfer of ownership without consideration will be a gift and will not be a sale. Similarly, a mortgage is a transfer of some interests in the property as security for repayment of money advanced or to be advanced, and even here there should be some consideration. Even in the case of leases, there should be a promise to pay a particular lease amount. All these three categories of transfers should be supported by consideration and there is no meaning in saying ' a sale for consideration, a mortgage for consideration or a lease for consideration.' Therefore I suggest that the words ' for consideration ' be omitted."

The amendment was duly seconded.

THE HON. SRI C. SUBRAMANIAM :—" Sir, we have adopted only the wording already found in the other two Acts. I do not think we can now change the terminology in respect of other provisions of the law covered by the amending Act and so it will have to stand as it is. As a matter of fact, there could be sales without consideration, just as *benami* sales and evidently that is what is referred to by the words ' for consideration '. Though it may be redundant, I do not think there is anything wrong in having the expression. Further, having adopted a certain terminology in respect of the other two Acts, we cannot make a change here. I am opposing the amendment, Sir."

12-20  
p.m.

\* SRI P. S. KRISHNASAMY AYYANGAR :—" This Bill is different and not in any way connected with those Acts. If a ridiculous thing could be avoided, it may be done. No doubt the



[Sri P. S. Krishnasamy Ayyangar] [14th December 1954]

expression is found in the other Acts. But when we become conscious of a mistake, cannot that mistake be rectified and should that mistake be allowed to continue? If that cannot be done, I have only to thank my stars. I shall withdraw my amendment."

The amendment was, by leave, withdrawn.

Clauses 2 and 1 and the Preamble were put and carried.

THE HON. SRI C. SUBRAMANIAM :—" I beg to move—

*' That the Mappilla Marumakkattayam (Amendment) Bill, 1954, be passed into law.' "*

MR. SPEAKER :—" The question is—

*' That the Mappilla Marumakkattayam (Amendment) Bill, 1954, be passed into law.' "*

The motion was put and carried and the Bill was passed into law.

#### IV.—GOVERNMENT MOTION.

MOTION UNDER RULE 22 (3) OF THE ASSEMBLY RULES *re* CHANGE  
IN THE ORDER OF BUSINESS.

THE HON. SRI C. SUBRAMANIAM :—" I beg to move—

*' That under rule 22 (3) of the Madras Assembly Rules, the order of business of the House may be changed and that the Madras Cinemas (Regulation) Bill, 1954, be taken up later on.' "*

The motion was put and carried.

#### III.—GOVERNMENT BILLS—*cont.*

(3) THE MOTOR VEHICLES (MADRAS AMENDMENT) BILL, 1954.

\* THE HON. SRI B. PARAMESWARAN :—" Sir, I beg to introduce the Motor Vehicles (Madras Amendment) Bill, 1954, and move—

*' That the Bill be taken into consideration at once.'*

" Sir, in moving the Bill I would like to state the Objects and Reasons of this Bill. Section 64-A of the Motor Vehicles Act, 1939, vests in the Government powers of revision over orders passed by Transport Authorities in the State. In actual practice, parties file applications before Government in all sorts of trivial cases. The time, labour and inconvenience involved in the Government themselves exercising the statutory power of revision are very considerable and experience has shown that it is not necessary that this function should be performed at Government level. Government have, therefore, decided to repeal the section. Government,



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however, consider that provision is necessary for the exercise of revisional jurisdiction in respect of matters for which no appeal is now provided under section 64 of the Act by the authority which hears appeals from the decisions of Regional Transport Authorities and the State Transport Authority and that the Government should have the power in certain cases to issue directions to the Regional Transport Authorities or the State Transport Authority to open a new route or to extend an existing route or to increase or decrease the number of buses on any specified route."

MR. SPEAKER :—" The motion is—

' That the Motor Vehicles (Madras Amendment) Bill, 1954, be taken into consideration at once.' "

SRI K. P. GOPALAN :—" I move—

' *That the Motor Vehicles (Madras Amendment) Bill, 1954, be circulated to elicit public opinion thereon.*' "

SRI S. RAMALINGAM :—" I second the amendment."

SRI M. KALYANASUNDRAM :—" I move—

' *That the Motor Vehicles (Madras Amendment) Bill, 1954, be referred to a Select Committee.*' "

SRI K. T. RAJU :—" I second the amendment."

MR. SPEAKER :—" The motion and the amendments are before the House for discussion."

\* SRI K. P. GOPALAN :—" Sir, this Bill is a very important Bill and we have to consider it very seriously. When we consider the conditions of motor industry and motor transport, the department dealing with them is one where corruption is going on like anything, especially in the matter of getting permits, getting new routes and even for getting small extensions of existing routes. My own experience is that the big motor monopolists have so influenced the Regional Transport and other Higher Authorities that the small owners are crushed. Further, the Motor Vehicles Act vests full powers in the Police department. It is such a notorious black Act. In this connection I wish to say that when I went for conciliation regarding a motor industry dispute, a motor-owner unknowingly said. 'How can we give bonus to the workers? For, we have to give about Rs. 50,000 to the Police department.' Thus, if we examine the working of the motor transport industry, it will be clear that a good portion of the profit goes to the Police department. Even now this is a department which we have to watch very carefully. That is why I have moved this amendment.

" Sir, according to section 43-A of the Motor Vehicles Act, the Government has got executive power to send orders. Now the Government wants to add a clause in the old section 43-A by which Government wants to take power to direct the Regional Transport



[Sri K. P. Gopalan] [14th December 1954]

Authorities or Higher Authorities regarding the sanction of routes concerned. I am very glad that Government is not taking powers of directing that particular persons alone should be given permits to run buses. The Government want to repeal section 64-A of the old Act. Now I want to know from the hon. Minister whether a bus-owner whose application is rejected by the Regional Authority and whose appeal before the State Transport Authority is also rejected, should not have the right of appeal before the Government. Now Government is taking away that right and that means the owner cannot go before the Government on appeal. Now so many appeals are pending before Government.

12-30  
p m.

“ These appeals are made on the decisions of the Regional Transport Authorities and the Central Road Traffic Board. Now the Government say that they will not hear the appeals. Where will they go? They will be referred back to the Central Road Traffic Board. That is an injustice sought to be done in this Bill to the trade, particularly, to the small owners. Moreover, if you study the Motor Vehicles Act, you will find that whenever petitions are rejected and when the aggrieved party takes the matter to the High Court, the High Court cannot direct the Government to do the correct thing. The High Court can only ask the Government to reconsider its decision. As far as this Bill is concerned, the motor owners have no right to appear before the High Court. (At this stage, the Deputy Speaker occupied the Chair.) Hereafter, everything will be left to the Central Road Traffic Board and the Regional Transport Authority. Who are the members of the Regional Transport Authority? The District Collector, the District Superintendent of Police and the Divisional Engineer for Highways. The Collector is the President and the District Superintendent of Police is the Vice-President. Formerly, the District Board President was a member but now he is removed and in his place the Divisional Engineer is included. We know pretty well how the District Superintendents of Police are misusing their powers as members of the Regional Transport Authority. Why not the Government come forward with a proposal to include non-officials as well as the District Board Presidents as members? They will not and that is the respect they give to non-officials. Then take the Central Road Traffic Board. The Transport Commissioner is the Chairman and I know the Government have no non-officials on the body. So, the Regional Transport Authority and the Central Road Traffic Board have become a very powerful organisation doing things autocratically, without any regard to the needs of the people. If the Hon. the Minister sincerely looks into the grievances of the small bus-owners in the State, he can understand how the department works. Many appeals are pending before the Government. Now the Government want to take away the right of appeal to the Government and leave the bus-owners to the mercy of the Regional Transport Authority and the Central Road Traffic Board. This is unjust and unfair. The Government should consider these aspects of the question very carefully and do justice to the small owners in the State.



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[Sri K. P. Gopalan]

“ Now, let us take the motor industry as a whole. The policy of the department has always been to support the big monopolists and motor magnates. Even when the Motor Vehicles Surcharge Bill came before the House, the bigger owners supported it in order to crush the small owners. In the same way, this Bill also aims at crushing the small owners. This provides only an opportunity to the big monopolists to approach the officers of the department as usual and get the routes they like. I am sure the Government have not considered all these aspects of the question. I feel the Government have introduced this Bill rather hastily and unless they examine all these aspects very carefully, the result will be, the earnings of the transport owners will get into the pockets of the Police officers or Regional Transport Authorities. I know several such instances. As President of the Malabar Motor Employees' Union, I know in Cannanore every head constable, Police sub-inspector, circle inspector and the District Superintendent of Police are paid monthly 'something' for misusing the rules. This cannot be stopped unless we have non-officials on the Regional Transport Authority. The Government have now removed the District Board President also so that the Regional Transport Authority has autocratic powers to crush the small owners. I want an explanation from the Hon. the Minister for Transport for all these acts because this Bill affects not only the small owners but the passengers and the public also. Therefore, I move my motion that the Bill be circulated for eliciting public opinion.”

\* SRI T. C. NARAYANAN NAMBIAR :—“ Mr. Deputy Speaker, Sir, it is only to invite the attention of the Treasury Bench and particularly, the Hon. the Minister for Transport, to an important omission that I take this opportunity of speaking on this Bill. The question has been raised several times by hon. Members of this House that elected representatives of the people should be given more and more powers so that they may get an opportunity to serve the people more and more. Far from giving such powers to them, the Government have taken away even the very limited powers given to the District Board Presidents by removing them from the Regional Transport Authority. (The Hon. Sri C. Subramaniam : ‘ Not by this Bill.’) Yes. But we have a right to criticise the constitution of the Regional Transport Authority and the Central Road Traffic Board which come within the purview of this Bill. Some people were saying—I do not know how far it is correct—that recently the ex-officio membership of the Presidents of District Boards in the Regional Transport Authority was taken away by the Government because they felt that the wind had begun to blow in the opposite direction in District Board politics and that Malabar was a pointer. It was also said that Government feared that more and more opposition parties might get into the local boards. But I do not think that is the reason because the Hon. the Minister himself said on a previous occasion that there would not be any discrimination shown



[Sri T. C. Narayanan Nambiar] [14th December 1954]

in this respect. What I want to say is this. Whatever the reason, the Government must issue orders restoring the *status quo* by making the Presidents of District Boards members of the Regional Transport Authority.

12.40 p.m. "Government are sponsoring this Bill because it is said in the Statement of Objects and Reasons that in actual practice parties file all sorts of trivial cases directly before Government and this leads to a volume of papers and unnecessary waste of time by Government over questions which could be directly dealt with by the Regional Transport Authority. That is why section 64-A of the Motor Vehicles Act, 1939, has been repealed. But by a new clause in the present Bill, I mean clause 2, Government reserve to themselves the power to guide and direct the Regional Transport Authority to open any new route wherever necessary or to extend an existing route or to permit additional stage carriages to be put or to reduce the number of stage carriages, on any specified route. I think by the reservation of this power by Government, this will also lead to a lot of papers accumulating before Government. Representations may be pouring in from individuals requesting for the opening of this or that route. Therefore in fact even though by the repeal of Section 64-A of the previous Act, Government think of avoiding unnecessary filing of trivial cases before them and thus avoiding unnecessary accumulation of correspondence, yet by the present reservation of the power to direct and guide the Regional Transport Authority in the matter of opening new routes, they will again pave the way for accumulation of papers before them from parties who may be eager for opening new routes. Therefore it is better if to a certain extent the District Board Presidents and other non-officials are included in the Regional Transport Authority. Their inclusion will pave the way for successful functioning of the Regional Transport Authority and to a certain extent mitigate and minimise unnecessary accumulation of papers with the Government. I hope Government will give their consideration to this matter."

\* SRI M. NARAYANA KURUP :—"Mr. Deputy Speaker, Sir, this is a department which comes in for very much criticism. This department earned its odium during the war years. After that not very much has been done to redeem its name. We know that during the war period a powerful vested interest monopolised the trade. Now only Government want to get rid of the monopolists to a certain extent. But they, like the old man of the sea, sit tight on the shoulders of Government and Government find it not possible to act contrary to their wishes. If I am correct, after the war was over the Government have abolished the fleet system with the result that anybody can compete in motor transport with any owner. In fact that is the one real safety for the passenger to be free from the monopolist system because we know, Sir, even now there are many routes which are monopolised by one single owner who never cares for the convenience of the passengers but is interested in his own pocket. In spite of the agitation in the Press



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and in spite of protests from the public, Government have not done anything. If a new man applies for any route or permit, inspite of all our laws, he seldom gets it. Therefore the evil of the monopoly so far as the convenience of the passengers are concerned still persists. I would request Government, now that there is no such emergency as in war years, that if they are not able to provide themselves the necessary conveniences for passengers, at least they should see to it that sanction for new routes are granted liberally to new applicants.

" I shall cite one small instance to show how the department works. The P.C.C. Societies in Malabar had their own private carriers. After rationing was abolished they had no use for them. Repeated requests were made to Government to permit the P.C.C. Societies to convert their private carriers into public carriers. But what did the department do? The P.C.C. Societies' request was not properly attended to. With the result, they had to undersell the lorries to a private individual. As soon as that private individual had bought those lorries, he was immediately able to get the necessary permission to register them as public carriers. That shows how the department works. This is only one of the many instances in which Government have shown preference to interested parties. In the refusal of permits to fresh applicants, there is no legal prohibition. It always happens that the monopolists succeed in ousting fresh entrants in the field. I would request Government to look into this matter carefully.

" I want to refer to an important point which has been raised on the floor of the House many times. I mean the minimum fare. In my district the minimum fare is 5 annas, between one furlong and one mile or five miles. This is really exorbitant. There is no competition, in the routes. For instance between the towns of Kozhikode and Palghat there are various suburbs within a radius of five or six miles which depend for their daily needs on the nearby towns. Therefore communication between them and the towns are absolutely necessary. I specifically mention two places, viz., Parli and Mundur. People there have been making requests to Government to link the two places. We have agitated for the opening of a bus route between Palghat and Parli and also for connecting Palghat and Mundur. The monopolists do not care for the convenience of passengers and Government do not allow fresh applicants into the field. The villages nearby are not connected with the towns. I have given some examples above. Let Government see to it that they give permits liberally for fresh applicants to open new bus routes thus connecting the suburbs, I mean some of the important villages, with the towns nearby. After all the distances to be covered between a village and the nearby town may not be more than five miles.

" The old system of monopoly still continues. The old monopolists sit tight on the shoulders of Government and do not allow new entrants into the field, with the result the monopolists amass



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profits without in the least worrying to provide the necessary conveniences for passengers. I am sorry to say that Government have not paid sufficient attention to the comforts of passengers for they are concerned with the tax payable to them. I would be happy if hereafter at least either Government see themselves to the conveniences of passengers by opening new routes themselves or allow fresh private parties who would open new routes connecting important villages with the towns nearby and see to the convenience of passengers.

“ Thank you, Sir.”

\* DR. K. B. MENON :—“ Mr. Deputy Speaker, Sir, transport as a general proposition is a very important one and particularly when it comes to bus transport it is something that affects the common man, particularly the poor man. Therefore it is very important. I do not wish to touch upon major issues like nationalization and other subjects. But I would like to touch upon a few issues that are of immediate importance. I have particularly to refer to the relationship that exists to-day between the bus services and the police. I do not know exactly what to suggest as a solution but I know that that relationship does not work well. Police still seem to dominate the regulation of services and they seem to enjoy privileges which the bus-owners grant to them simply because of their helplessness, namely, reservation of front seats, stopping of buses at police officers' houses in order to pick them, going out of the way in order to serve the police. In these ways and in very many other ways favours are extended to the police which are not quite warranted. I believe that Government should investigate into the problem and see to it that that control of the police that exists to-day is not made a monopolistic control liable to abuse in the hands of the police. This control should be shared by them with others, that the police should not be allowed to claim the privileges that they are claiming now and private owners should no longer have the inducement to grant the privileges which they are now compelled to give to the police under the present circumstances. Then there is the question of overcrowding which still persists. I had talks with the bus-owners in this matter and they are of the opinion that if no overcrowding at all is allowed in any bus the problem will be solved. Some buses when they run out of time go empty because the bus that goes previous to it gathers up all the passengers even though it may be overcrowded. Therefore, if the rules are strictly enforced, it may be possible to regulate the traffic in such a way as to avoid overcrowding in any bus. Overcrowding is one of the things which the police take advantage of in order to blackmail the private owners.

“ Another thing I wish to bring to the notice of the Hon. Minister is that often times these buses are converted into private carriers and loads are placed on the tops of buses. Ordinarily I believe that buses should take the passengers' personal luggage only, but often times the bus tops are overloaded. I have noticed this in



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buses coming from Ponnani. Sometimes even fish baskets are placed on the tops of the buses with the result that water drips inside and I have heard complaints from ladies sitting in the buses that their dress has been spoiled. In this way, the buses are converted into private carrier trucks. This matter should be looked into and this practice should be prohibited.

“ Another matter which I would like to refer to is about the so-called private taxis. These private taxis render some service to the public, especially in rural areas. I do not deny that. But they charge exorbitant rates even at places where there is no competition. When I went into the subject and tried to gather some information, I learnt that in England there was a system under which certain permits, B class or C class, are issued to these private taxi-owners. The matter deserves to be examined. I am not asking that these private taxis should be completely abolished or penalised, but I feel that it should be regulated and if it is properly regulated, not only will it be a source of income to the Government but it will also be a source of convenience to the public.

“ Yet another matter which I would like to touch upon is about associating non-officials with bus transport. I know a few instances where the bus-owners have been penalised for some fault of theirs, but that penalization is more the penalization of the public than that of the bus-owners themselves. I know one instance and I brought it to the notice of the Regional Transport Authority. If the bus-owner commits a mistake, his permit is suspended for a period of one week or ten days. No alternative buses are run on that route and for one whole week or ten days the bus traffic is completely at a standstill with the result that the public are seriously inconvenienced. I myself experienced this once and I wrote to the Regional Transport Authority, but subsequently the same mistake was repeated, not in the same place but elsewhere. If a bus-owner commits a mistake and if his permit is suspended for a certain time, alternative buses should be run on that route so that the public may not suffer. There was a Bus Advisory Committee. I do not know what became of it. Last time when I mentioned about this to the Hon. Minister in-charge, he told me that the Committee would meet. I do not know whether it has met. There must be an advisory body with which the people may be associated in some way so that problems of bus transport may be discussed.”

\* SRI T. ANANTA PAI :—“ Mr. Deputy Speaker, Sir, we are now discussing an amendment to the Motor Vehicles Act, 1939, whereby the Government seek to give up certain powers which they have been exercising. Even when they give up some of their powers, they are being accused, while they are always accused for taking additional powers. When in the name of decentralization it is said that matters should be disposed of at district levels, I do welcome this measure whereby a chance is given to the district authorities to come to quick decisions. Of course, opportunity has



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been taken to comment on the recent decision of the Government that there should not be any non-officials on the Regional Transport Authority with particular reference to the exclusion of the District Board Presidents. There was a lot of criticism against the non-official members themselves and an agitation was started at one time that elected representatives like Members of the Legislative Assembly or District Board Presidents should not serve on the Regional Transport Authority. Some hon. Members have pointed out that it is just because certain political parties are coming into power so far as the District Boards are concerned that this exclusion has been sought for. I am afraid they are trying to attribute motives, which is not at all warranted. If our reading of the situation is correct, it is not any other party but the party in power, namely, the Congress, that has come into power so far as the majority of District Boards are concerned and there has been a clamour from various District Boards that their Presidents should be included in the Regional Transport Authority. Elected representatives as we are, I am afraid we are quite liable to be influenced in several ways and motives, which are attributed to officials, namely, that they are corrupt and so on, could also be equally attributed to us, however fair our decisions might be. It is a doubtful question whether our officials could be generally classified as corrupt. It is quite open to us to bring it to the notice of the Government where such cases of corruption occur and set matters right whenever necessary.

“ So far as the criticisms against the department are concerned, I do not know how far it is relevant to discuss them here, but I would like to draw the attention of the Hon. Minister to the fact that papers which go before the Central Road Traffic Board are not disposed of as quickly as we like them to be, on account of some regulation or other. Now, under the Local Development Schemes, the Community Projects and the National Extension Service Schemes, we are putting up a number of new roads. The desire of the villagers that additional bus routes should be opened so that buses may come to their villages is a genuine one. If it is only a question of bullock-cart track, it is not necessary to take up so many schemes and spend a lot of money. The Central Road Traffic Board insists upon a certain standard so far as the roads are concerned. Unless the road conforms to the prescribed standard, no bus route will be sanctioned. Many of the roads would not get improved unless the bus routes are sanctioned. Very often the Local Bodies are apt to give more attention to roads where buses ply than to others. Under these circumstances, I would request the Hon. Minister to consider whether it would not be possible to enlarge the scope of these regulations and extend the bus routes to the villages. Unless this is done, most of the roads will not be of much use so far as the villages are concerned.

“ Then, I would like to point out the inordinate delay in the grant of permissions. Recently the Madras Government put up a bridge called ‘ Putthiga Bridge ’ at a cost of about Rs. 6.5 lakhs.



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We got it opened just before the monsoon so that passengers going to Mysore frontier and Bombay could get the benefit of this bridge. Formerly, before this bridge came into existence, buses used to ply up to the place where this bridge has been put up and stop there. The passengers had to cross the ferry and go to the other side and then they would get into another bus. But, unfortunately, even after this bridge has been opened, the same bus could not proceed beyond that bridge because the necessary permission could not be obtained from the Regional Transport Authority in spite of the fact that four or five months have elapsed. The passengers are put to considerable difficulty. They have to get down at one end, walk over some distance and then get into the bus at the other end even during heavy rains. In spite of so many representations, the necessary permission is not yet forthcoming. I do hope that the Hon. Minister in charge will look into complaints like these and try to redress the grievances as early as possible. If the rules stand in the way, I hope that they will be amended suitably. So far as the question of the Government giving up their powers is concerned, I do hope that this Bill is a welcome measure and nobody can accuse them for giving up some of the powers which they have been exercising so far. I thank you, Sir, for the opportunity given to me to speak."

**SRI P. B. K. RAJA CHIDAMBARAM:**—"கனம் மன்றத் தலைவர் அவர்களே, இந்த மசோதாவை யார் வரவேற்பார்கள் என்று நான் நினைத்தேனே அதற்கு நேர் எதிராக அவர்கள் பலமாக எதிர்த்ததைக் கண்டு வியப்படைந்தேன். குறிப்பாக எதிர்க்கட்சி நண்பர்கள், அரசாங்கம் இதுவரை அனுபவித்து வந்த அதிகாரத்தை, தங்கள் கட்சியைச் சேர்ந்தவர்களுக்குச் சலுகை காட்ட வாய்ப்பு அளிக்கும் அதிகாரத்தை வேண்டாமென்று விடுவதைத் தடுக்க முன் வந்ததைக் குறித்து வரவேற்பார்கள் என்று நினைத்தேன். ஆனால் அவர்கள் ஏனோ இதை பலமாக எதிர்த்திருக்கிறார்கள்.

"ஸ்ரீ கோபாலன் அவர்கள் இந்தச் சட்டம் அமுலுக்கு வருகின்ற காலத்தில் முடிவுருமலிருக்கின்ற எல்லா அப்பீல்களும் சர்க்காராலேயே தீர்க்கப்படவேண்டுமென்று ஒரு திருத்தம் கொடுத்திருக்கிறார்கள். அவரது திருத்தத்தை நமது சபை ஏற்றுக் கொள்வது இந்தச் சட்டத்திற்கே முரணாக இருக்குமென்று நினைக்கிறேன். இனி வரப்போகும் அப்பீல்கள் எவ்வாறு தீர்க்கப்படுமோ, அவ்வாறே இவைகளும் தீர்க்கப்படலாம்.

"இரண்டாவது இதுவரையில் அரசாங்கத்தார் 64வது விதியின் கீழ் சர்க்காருக்குள்ள அதிகாரத்தின்படி டிரான்ஸ் போர்ட் அதிகாரிகள் கொடுத்த தீர்ப்பை மாற்றவேண்டுமென எத்தனை கேஸ்கள் வந்திருக்கின்றன என்று பார்த்தால் அவைகளில் பெரும்பாலும் பஸ் பர்மிட் யாருக்குக் கொடுக்கப்பட்டது என்பதைப்பற்றி எழுந்த தகராறே அதிகமாக இருக்கும். அதற்குக் காரணம் இப்படிப்பட்டவர்களுக்குத்தான் பஸ் பர்மிட் வழங்க வேண்டுமென்று திடீர்ப்பட்டாக இதுவரையில் வரையறுக்கப்பட்டதுதான். நானும் கடந்த ஐந்து ஆண்டுகளாக ஆர். டி. ஏ. யில் ஒரு அங்கத்தினராக இருந்த காரணத்தால் இதைப்பற்றி அனுபவத்துடன் கூறமுடியுமென்று நினைக்கிறேன். குறைந்தது மூன்று பஸ்களாவது ஒரு நபருக்கு இருக்கவேண்டும் என்று சர்க்கார் உத்திரவு இருக்கிறது. ஆனால் இன்றைக்கு ஜில்லாக்களிலுள்ள ஆர்.டி.ஓ. ஒரு பஸ் உடையவருக்கு இன்னும் இரண்டு பஸ் விட பர்மிட் கொடுத்தால் மூன்று பஸ்களாக வழியிருக்கிறது என்றும் சமாதானம் சொல்லி தங்கள் இஷ்டம்போல் பஸ் பர்மிட் வழங்க இடமிருக்கிறது. இதைச் சொல்லும்



போது நான் ஜில்லாவில் இருக்கும் ஸ்தாபனங்களைப் பற்றிக் குறைகூறு முற்படவில்லை. பர்மிட் வழங்குவதில் சட்டதிட்டங்கள் திட்டவாத்தமாக வரையறுக்கப்படவில்லை. அரசாங்கத்தார் இதில் கவனம் செலுத்தி தங்கள் கொள்கையை முடிவு செய்ய வேண்டுமென்று சொல்லவே விரும்புகிறேன். சமீபத்தில் இதுவிஷயமாக ஒரு உத்தரவு பிறப்பிக்கப்பட்டிருப்பதை அறிய மகிழ்ச்சியடைகின்றேன். அதேபோல் சட்டத்தின்கீழ் விதிகள் செய்து இந்தவிதமான கொள்கையைதான் கடைப்பிடிக்கவேண்டுமென்று வரையறுத்துவிட்டு, ராமனுக்குப் பர்மிட் வழங்கப்பட்டதா, கோவிந்தனுக்குப் பர்மிட் வழங்கப்பட்டதா என்பதைப் பற்றி அரசாங்கம் கவலைப்படாமல் அதை அதிகாரிக்கே விட்டுவிட்டு, அதேசமயத்தில் அம்மாதிரி பர்மிட் வழங்குவதல்லாத வேறு பொது நல கொள்கை மீது எழும் அப்பீல் களை முடிவு செய்து தீர்மானிக்கும் அதிகாரத்தை மாத்திரம் அரசாங்கம் வைத்துக் கொள்வதற்கு நாம் அரசாங்கத்தைப் பாராட்டாமலிருக்க முடியாது.

“அதேசமயத்தில் ஸி.ஆர்.டி.பி. முடிவு மீது யாருக்கு அப்பீல் செய்வது என்ற பிரச்சனையில் அப்பீல் செய்வதற்கு ஹைக்கோர்ட்டில் ரிட் நடவடிக்கை எடுக்க வேண்டும். ரிட்டின் முடிவுப்படி உத்தரவை யார் அமுல் நடத்துவது என்றதொரு சந்தேகமும் இருக்கின்றது. அந்தச் சந்தேகங்களையும் தீர்த்து வைக்கும் முறையில் சர்க்கார் இந்தச் சட்டத்திலேயே ஏதாவது திருத்தங்களை இப்பொழுது இல்லாவிட்டாலும் கூட பின்னராவது செய்யவேண்டுமென்று கேட்டுக்கொண்டு, இந்த மசோதாவை எல்லோரும் ஆதரிக்க வேண்டுமென்று கேட்டுக் கொள்ளுகிறேன்.”

\* SRI R. KRISHNAN :--“ മിസ്റ്റർ സ്പീക്കർ, സർ, ഈ ബില്ലിന് ശ്രീ കെ. പി. ഗോപാലൻ അവരവർപ്പിച്ചിട്ടുള്ള ഭേദഗതിയെ ഞാൻ അനുകൂലിക്കുന്നു. ബസ്സു മുട്ടുകൾ കത്തുകയായി അനുവദിച്ചിട്ടുള്ളതുകൊണ്ട് യാത്രക്കാർക്ക് വളരെയധികം കഷ്ടപ്പാടുകളുണ്ടു്. ബസ്സുകൾ സമയത്തു് കിട്ടുന്നില്ല. ചിലപ്പോൾ ഒരു മണിക്കൂറോ രണ്ടു് മണിക്കൂറോ അല്ല, അഞ്ചു് എട്ടു് മണിക്കൂർ കൊള്ളുന്നിന്നാലും കില സാമ്പലങ്ങളിൽ ബസ്സു് കിട്ടുന്നില്ല. കൂടുതൽ ബസ്സുകൾ കാടിക്കാൻ തയ്യാറുള്ള ആളുകൾ പെട്ടെനെന്നു് അപേക്ഷിച്ചാലും അനുവദിച്ചു കൊടുക്കുന്നില്ല. മിനിമം ഫെയറിനെ സംബന്ധിച്ചും ഒരു പറയാൻ രണ്ടു്. ഇപ്പോൾ ഏറ്റവും കുറഞ്ഞ ചാർജ്ജ് 5 അണയാണ്. ഒരു ലൈലു, ഒരു ഹർലോഞ്ചു് പോകുന്നള്ളവെല്ലാം 5 അണ കൊടുത്തേ മതിയാകൂ എന്ന നിലയാണ്. ഇന്നുള്ളതു്. ഇതു് വലിയ അനീതിയാണ്. കുറഞ്ഞ ചാർജ്ജ് ഒരുണയായി കറയ്ക്കണമെന്നാണ് എന്റെ അഭിപ്രായം. അതുകൊണ്ടു് ബസ്സു് മുതലാളിമാർക്കു് നഷ്ടമെന്നും ഉണ്ടാകാൻ പോകുന്നില്ല. കാരണം, കുറഞ്ഞ ചാർജ്ജ് കൂടുതൽ യാത്രക്കാരെ ആകർഷിക്കും. കുറഞ്ഞ ചാർജ്ജിൽ കൂടുതൽ യാത്രക്കാർ യാത്രാസൗക്യതു് നൽകാൻ ബസ്സു മുതലാളിമാരെ നിബന്ധിക്കുന്നു.

[illegible]



14th December 1954] [Sri R. Krishnan]

உய்வாறியாவைக்கிட்டு, ரோஸ்கூட வடகர மோலையிலுண்டு கிடக்கிறது. ப்ரேது கட்டி உச்சகாலத்தில் ஹெலிகாப்டர் வடகர கேடும் ஸாண்டிவிகளையும். ஹ கார்ட்டுள்ளேயே வேண்டியவை பவிராணிசுனாநிலை ஸ்தலம் உண்டாகின்றன உதேசு ஸோஷலிசியாண்டு ஸ்ரீ கெ. பி. ரோபாலகர்ட்டு கெடலாநிலை ஸ்தலம் பிளாண்டி

\* **SRI S. RAMALINGAM** :—“கனம் சபாநாயகர் அவர்களே, இந்த மோட்டார் வாகன சட்டத் திருத்த மசோதாவை சர்க்கார் கொண்டு வந்திருக்கக்கூடிய நோக்கத்தை விவரிக்கும்போது ஸ்ரீ ராஜா சிதம்பரம் சொன்னது போல சர்க்கார் தங்களுக்கு இருக்கக் கூடிய அதிகாரத்தை விட்டுக் கொடுக்கின்றதாக எண்ணினாலும் கூட அதேசமயத்தில் வேறு சில அதிகாரங்களைக் கேட்கிறார்கள். அதாவது முக்கியமான கேஸ்களில் ரீஜனல் டிரான்ஸ்போர்ட் அதிகாரிகளுக்கோ அல்லது ஸ்டேட் டிரான்ஸ்போர்ட் அதிகாரிகளோ புதியதாக சில இடங்களில் பஸ் ஸ்டாண்ட் ஆரம்பிப்பதற்கும், ஏற்கெனவே இருக்கக்கூடிய ஸ்டாண்டுகளையே அதிகப்படுத்துவதற்கும், ஒரு குறிப்பிட்ட ஸ்டாண்ட் சென்று கொண்டிருக்கும் பஸ்களின் எண்ணிக்கையை அதிகப்படுத்துவதற்கும், குறைப்பதற்கும் தக்க உத்தரவுகளை போடக்கூடிய அதிகாரத்தை சர்க்கார் தற்போது கேட்கிறார்கள்.

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p.m.

“நாங்கள் இந்த மசோதாவை ஏன் பொறுக்குக் கமிட்டிக்கு அனுப்ப வேண்டுமென்று திருத்தம் கொடுத்திருக்கிறோம் என்பதற்கு சொல்ல விருப்புகிறேன். நமது நாடு கிராமங்கள் அதிகமுள்ள நாடு. கிராமங்களில் உற்பத்தியாகக் கூடிய விவசாயப் பொருள்கள் வேறு இடங்களுக்கு வந்து சேருவதும், நகரங்களில் உற்பத்தியாகக் கூடிய தொழிற்பொருள்கள் கிராமங்களுக்குச் செல்லவேண்டியதும் மிக அவசியமாக இருக்கிறது. இதற்கு மிக முக்கியமானது நல்ல போக்குவரத்து வசதியேயாகும். நல்ல போக்குவரத்து வசதி செய்யப்பட்டிருப்பது நாட்டு மக்கள் எல்லோருக்குமே மிக உபயோககரமானதாக இருக்கும். நாட்டிலே நல்ல போக்குவரத்து வசதியைச் செய்து கொடுப்பது சர்க்காரின் பொறுப்பாகவும் இருக்கிறது. இன்றைக்கு வந்திருக்கக் கூடிய சட்டம் நமது தேசிய சர்க்கார் வருவதற்கு முன்பாகவே ஏற்படுத்தப்பட்ட சட்டம். இதில் பல குறைபாடுகள் இருக்கின்றன.

“குறிப்பாக நாட்டு மக்களுக்குப் போக்குவரத்து வசதியை ஏற்படுத்திக் கொடுப்பதற்காக டிரான்ஸ்போர்ட் அதிகாரிகளுக்குக் கொடுக்கப்படும் அதிகாரங்களை வரையறுக்கக் கூடிய விதிகளை நன்கு பரிசீலனை செய்ய வேண்டியது மிகவும் அவசியமாகும். இந்த சட்டத்தின் கீழ் பஸ் முதலாளிகளிடமிருந்தும், டாக்ஸி முதலாளிகளிடமிருந்தும், லாரி முதலாளிகளிடமிருந்தும் சர்க்கார் வரி வசூல் செய்கிறார்கள். ஏற்கெனவே இந்த வரிகளின் பெரும் பகுதி ஸ்தல ஸ்தாபனங்களுக்கு சென்று கொண்டிருந்தன. இப்பொழுது சர்க்காரே நேரடியாக வசூல் செய்து ஒரு பகுதியை ஸ்தல ஸ்தாபனங்களுக்குக் கொடுக்கின்றார்கள். சென்னை நகரத்தை எடுத்துக் கொண்டால், சென்னை கார்ப்பரேஷன், சர்க்கார் வசூலிக்கும் இம்மாதிரியான வரிப் பணத்தின் பெரும்பகுதியைத் தங்களுக்குக் கொடுக்க வேண்டுமென்று சர்க்காருக்கு விண்ணப்பம் போட்டிருக்கிறது. ரஸ்தாக்களைப் பராமரிக்கும் பொறுப்பு கார்ப்பரேஷனுக்கு இருப்பதால் அவர்களுக்கு அதிகமாகப் பணம் தேவைப்படுகிறது என்று அதற்கு அவர்கள் காரணம் கொடுக்கிறார்கள். அதைச் சர்க்கார் இன்னும் கவனித்ததாகத் தெரியவில்லை. இது விஷயமாக சர்க்கார் பரிசீலித்துக் கொண்டிருக்கிறார்கள் என்று பல இடங்களில் மந்திரிகளால் சொல்லப்பட்டு வருகிறதே தவிர ஒரு முடிவுக்கும் இன்னும் வந்ததாகத் தெரியவில்லை. இந்த நிலைமையைப் பூராவாகப் பரிசீலனை செய்யவேண்டும். போக்குவரத்தைப் பாதுகாக்கக் கூடிய முறையிலும் பொதுஜனங்களுக்கு வசதி செய்துகொடுக்கக்கூடிய முறையிலும் சர்க்கார் நல்லதொரு முடிவுக்கு வரவேண்டும். போக்குவரத்து சாதனங்களில் ஈடுபட்டிருக்கக்கூடிய தொழிலாளிகளான பஸ்கண்டக்டர்கள், டிரைவர்கள், ஓர்க்ஷாப்பிஸ் வேலை செய்யும் தொழிலாளிகள் ஆகியவர்களுக்குத் தேவையான உரிமைகளைப் பாதுகாக்கக்கூடிய முறையிலே என்ன காரியங்களைச் செய்யவேண்டுமோ அந்த முறையில் இந்தச்



[Sri S. Ramalingam] [14th December 1954]

சட்டத்தைத் திருத்தவேண்டுமென்று யோசிப்பதற்காகத்தான் நாங்கள் இதை பொறுக்குக் கமிட்டிக்கு விடவேண்டுமென்று கேட்கின்றோம். சர்க்கார் தங்களுக்கு ஏற்கெனவே இருக்கும் அதிகாரத்தில் ஒரு சிறு இடத்தை விட்டுக்கொடுத்து விட்டதனால் நாம் அந்த மசோதாவை அப்படியே அங்கீகரிக்கவேண்டுமென்பது சரி அல்ல. கனம் அங்கத்தினர் ஸ்ரீ ராஜா சிதம் பரம் அவர்கள் சொல்லியது போல, சர்க்கார் தங்களுக்கு வரக்கூடிய அதிகாரத்தின் ஒரு பகுதியைத்தான் விட்டிருக்கிறார்கள்., பூராவாக விட்டு விடவில்லை என்று நான் சுட்டிக்காட்ட விரும்புகிறேன்.

“ Section 64 (2) as will be amended reads as follows :—

“ The authority prescribed under sub-section (1) for the purpose of hearing appeals may either of its own motion or on application made to it, call for the records of any Regional Transport Authority or the State Transport Authority as the case may be for the purpose of satisfying itself as to the legality, regularity or propriety of any order made by such Transport Authority against which no appeal is provided for . . . .”

அப்பீல் இல்லாத இடங்களில் அப்பீல் வாங்குவதற்கான உரிமைகள் இப்பொழுதும் சர்க்காருக்கு இருக்கத்தான் செய்கின்றன. அந்த மாதிரி சில இடங்களில் சர்க்காருக்கு அதிகாரம் கிடையாது. சர்க்காரிடமிருந்து அதிகாரத்தை எடுத்துவிட்டு அதற்குப்பதிலாக வேறொரு அப்பீல் ட்ரைபுனலை ஏற்படுத்தலாம். விற்பனை வரி சம்பந்தமான தாவாகளை பிரச்னைகளைத் தீர்ப்பளிப்பதற்கான ஒரு அப்பீல் ட்ரைபுனல் இருக்கிறது. அந்தமாதிரி ட்ரைபுனல் ஏற்படுத்தி, அதன்மூலம் பைசல் செய்வதற்கோ ஹைகோர்ட்டு மூலமாகப் பைசல் செய்வதற்கோ இதில் வழி வகை வேண்டும். ஏனென்றால் சர்க்கார் சென்ற காலங்களில் தங்களுக்கு சாதகமான காரியங்களைச் செய்துகொண்டிருக்கிறார்கள். தங்களுக்கு வேண்டியவர்களுக்குச் சலுகை கொடுத்திருக்கிறார்கள் என்பது உண்மை. அந்தமாதிரி அதிகாரம் அவர்களுக்கு இருக்கக்கூடாது. அது நீக்கப்படவேண்டும் என்பதும் உண்மை. அதேசமயத்தில் உண்மையிலேயே பாதிக்கப்பட்டிருப்பவர்கள், தங்களுக்கு தீங்கு இழைக்கப்பட்டுவிட்டது என்று கருதும் மக்கள் தங்களுடைய குறைகளை நிவர்த்தித்துக் கொள்ளும்பொருட்டு அப்பீல் செய்து பரிகாரம் காண்பதற்கு சட்டத்தில் இடம் இருக்கவேண்டும். போதிய வசதி தற்போது இல்லை. ஒரே தடவைதான் அப்பீல் செய்துகொள்வதற்கு உரிமை இருக்கிறது. ஆகவே, ட்ரைபுனல் ஏற்படுத்த வேண்டும், அல்லது ஹைகோர்ட்டுக்கு அப்பீல் செய்துகொள்வதற்கான முறையிலே சட்டத்தில் வசதி செய்து கொடுக்கவேண்டும். இந்த மசோதா சம்பந்தப்பட்ட பொதுமக்கள், பஸ் முதலாளிகள், தொழிலாளிகள் இருக்கிறார்கள். இவர்கள் எல்லோரையும் கலந்தாலோசித்து நல்ல முறையில் நாம் சட்டங்கள் கொண்டுவரவேண்டும். ஆகவேதான் இந்த மசோதாவைப் பொருக்குக் கமிட்டிக்கு விடவேண்டும் என்று இந்தச் சபைக்கு ஆலோசனை கூற விரும்புகிறேன்.”

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p.m.

\* SRI K. MADHAVAN NAMBIAR:—“ மிஸ்டர் ஸ்பீக்கர், ஸர், ஹு விஜிஎன் டூரிங் அன்ட் டிஸ்கஸ்டிங் அபைல் எவ்வுருக்கெஜ்டிங் பிரேக்டீக் அபைல் பரவனெனெ டிரெக்சினை. ரெய்டுமார்ட்டுஜெனெ மராதெனெனெ ஸெகெய்டிஜெனெ உட்பிரேகெனெனெ பவஜெனெ. உதாஹெனெ பரவகயெனெகித் அிரெய்டு ராஜுகித் ஹிசுர்த் டிவைய உட்பிரேகெனெனெ வஸ்டுமார்ட்டுஜெனெ மராதெனெனெ மரு யானெனெ ஸெகெய்டிஜெனெ விஜ. ஸாஸெனெயுஜ் ஸபைனெகித் குதெனெ வஸ்டுகுக் காகிகாந் ஸுஜுகுக் ரத்யாநா ராஜ, பெர்வெரு கெஜுகாகிநிசெனெ கரு நயமெனெ ஹு கிஷ்பகெனெ. அபை மெயிந் டுஜுகிநெ ஈதிக் ஸப்டிஸுகுகிஜாஸுஜுகொஜ் ரெகுகாந் வஜெரு கேஸு ஸாஸெவிசெனெ. கஸ்டு-கோழிகோஜ், குஜபு-ரவஜேரு டிவைய மெயிந் டுஜுக ஜெனெ. ரு டுஜுகிநெ ஈதிக் ஸப்டிஸுகுகிஜாஸுஜுகொஜ் கரண ஜெரு மராத் யான மெயேஜெனெ ஸுஜுகுக், ப்ரேகுகிஜு விஜுந்மிகுக் வஜெரு வுவிடிஜெனெ. ஸ்டுக்கிகுக் கெரு ஸமயெனெ வஸ்டுகிஜ்னிஜ. ஸாஸுரு டுஜுகிநெ ஈதிக் ஸப்டிஸுகுகு ஸாஸெவிசெனெ. வஸ்டுஸெகெய்டுஜெ ஹுஜெனெ அபை டுஜுகஜெனெ. ஸாஸி ரெயுஜெ ஸபைனெவிஜு புநித ஸப்டிஸுகுகு ஸாஸெவிசெனெ. வஸ்டுமார்ட்டுஜெனெ ரிபை-குடி கரு வாகு பரவானெஜ். ஹு ஸாஸெனெனெகெகை விபை வஜெரு கரு



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[Sri M. Kalyanasundram] [14th December 1954]

கொள்கையில் மாறுதல் ஏற்படுத்தினால் தாங்கள் நியமித்திருக்கக்கூடிய ஸ்டேட் டிரான்ஸ்போர்ட் அட்வைசரி கமிட்டி புறக்கணிக்காது. அப்படிக்காரியங்கள் செய்ய வேண்டிய அவசியம் என்ன? மசோதா கொண்டுவர அதிகாரம் இல்லாமல் இல்லை. யோசனையைக் கேட்டிருந்தால் அந்த மசோதா இன்னும் சிறப்புடையதாக இருந்திருக்கும் என்று நான் கருதுகிறேன்.

“பஸ் பர்மிட்டுகள் வழங்குவதைக் குறித்து முன்கூட்டியே வி.ஆர்.டி.பி., ஆர்.டி.ஏ. உத்தரவு கொடுப்பதற்கு அதிகாரத்தை சர்க்கார் இப்பொழுது எடுத்துக்கொண்டிருக்கிறார்கள். எந்த அதிகாரத்தை விட்டுக் கொடுத்திருக்கிறார்களென்றால், ஆர்.டி.ஏ., வி.ஆர்.டி.பி. போடக்கூடிய உத்தரவுகளில் தலையிட்டு மாற்றுவதற்குள்ள அதிகாரத்தைத்தான் இப்பொழுது விட்டுக்கொடுத்திருக்கிறார்கள். ஏனென்றால், வேண்டியவர்கள், வேண்டாதவர்கள் என்ற முறையில் காரியங்கள் செய்யப்பட்டுவிட்டதாகக் குற்றச்சாட்டுகள் வருகின்றன என்ற காரணத்தால் இந்த அதிகாரத்தை விட்டுக் கொடுத்திருக்கிறார்கள் என்று நான் நினைக்கிறேன். அதை வர வேற்கலாம். ஆனால், அதேமுறையில் இன்னும் மற்ற பிரச்சினைகளையும் சர்க்கார் கவனிக்கவேண்டுமென்று கேட்டுக்கொள்கின்றேன்.

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p.m.

“உதாரணமாக பஸ் பர்மிட் வழங்குவதில் சிறு முதலாளிகளை அழித்து பெரும் முதலாளிகளைப் பாதுகாக்கக்கூடியதாக இப்போதைய முறை இருக்கிறது. எப்படி என்றால் இதுவரை மூன்று பஸ்களுக்கு குறையாமல் ஒவ்வொருவரும் வைத்திருக்க வேண்டுமென்ற விதி இருந்தது. அதை இப்பொழுது சர்க்கார் மாற்றுவதற்கு முயற்சி செய்திருக்கிறார்கள். அது உத்தரவாக பிறப்பித்துவிட்டார்களோ என்னவோ தெரியவில்லை. உத்தரவு வெளியிடக்கூடிய நிலைமையில் இருக்கின்றது என்று நிச்சயமாக நம்புகிறேன்.

“திட்டக்கமிஷன் சர்க்காருக்கு ஒரு யோசனை சொல்லியது. அதாவது ஒரு பஸ்முதலாளி எத்தனை பஸ்களை விடலாம் என்ற ஒரு எண்ணிக்கையை நிர்ணயிக்க வேண்டும். அவர்களுக்கு பொருளாதார வசதி லாப கரமாக இருக்கக்கூடிய அளவுக்கு இருக்கவேண்டும் என்று அவர்கள் வழிகாட்டியிருக்கிறார்கள். அவர்கள் குறிப்பிட்டிருக்கக்கூடிய வாசகம் **Economic and Viable Unit** ஆக அமைக்க வேண்டும் என்பது. ஒரு முதலாளிக்கு ஒரு பஸ்மட்டும் இருந்தால் அது பிரயோஜனப்படாது என்ற நல்ல எண்ணத்துடன் திட்டக்கமிஷன் அந்த யோசனையைக் கொடுத்திருக்கிறது. ஆனால் நம்முடைய சர்க்கார் என்ன செய்கிறதென்றால் 20 பஸ்கள் இருக்கக்கூடியது தான் ஒரு unit ஆக இருக்கவேண்டும் என்ற யோசனையை சர்க்கார் அவர்கள் கொண்டுவந்தார்கள். அதிலும் இப்பொழுது சர்க்காருடைய லிஸ்டிலுள்ள எல்லா முதலாளிகளும் அந்த 20 பஸ்கள் கொடுக்கக்கூடிய ஒரு திட்டம் இருக்கிறதா என்றால் இல்லை. அதற்கு பதிலாக யார் யார் 17, 18 பஸ்கள் வைத்திருக்கிறார்களோ அவர்களுக்கு அதிகமாகக் கொடுத்து 20 ஆக்கிவிடவேண்டும் என்ற திட்டத்தைக் கொண்டுவந்தார்கள். இந்தப்பக்கத்தில் இருக்கக்கூடிய அங்கத்தினர்களும் அந்தப்பக்கத்தில் இருக்கக்கூடிய அங்கத்தினர்களும் இதை யோசனை செய்துபார்க்கவேண்டும்.

“ஸ்டேட் டிரான்ஸ்போர்ட் அட்வைசரி கமிட்டியில் இது விஷயம் வந்த போது நாங்கள் அதை எதிர்த்து வாதாடினோம். ஒரு முதலாளி குறைந்த பட்சம் ஐந்து பஸ்களாவது வைத்திருக்கவேண்டும் என்ற ஒரு திட்டத்தை வைத்தால் அது வரவேற்கக்கூடியதாயிருக்கும். ஒன்று அல்லது இரண்டு பஸ்களை வைத்திருக்கக்கூடியவர்கள் குறைந்த பட்சம் ஐந்துபஸ்கள் வைத்து நடத்தலாம் என்ற ஒரு நிலைமையைச் செய்யவேண்டும். 20 பஸ்களுக்கு மேல் வைத்திருக்கக்கூடியவர்களுக்கு அடிஷனல் ரூட்டு கொடுக்கக்கூடாது என்று உத்தரவிட்டால் வரவேற்கக்கூடியதாயிருக்கும். ஆனால் புதிது புதிதாக பர்மிட்டுகள் யாருக்கு கொடுக்கப்படுகிறது? டி.வீ.எஸ். ஸ்தாபனத்தைப் போன்ற 100 அல்லது 120 பஸ்கள் வரையில் வைத்திருக்கக்கூடியவர்களுக்கு மேலும் மேலும் அதிக ரூட்டுகள் கொடுக்கப்படுகின்றன. ஆனால்



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இரண்டு மூன்று பஸ்களை வைத்திருக்கக்கூடிய சிறிய முதலாளிகளுக்கு அதிக ரூட் கிடைப்பது குதிரைக்கொம்பாகயிருக்கிறது. பெரிய பஸ் முதலாளிகளை பாதுகாக்கக்கூடிய ஒரு கொள்கையாகத்தான் இருக்கிறது.

“Economic and Viable Unit என்று வைத்து ஒருவருக்கு குறைந்த பட்சம் 10 பஸ்கள் இருக்கவேண்டுமென்று நிர்ணயித்து, 7, அல்லது 8 பஸ்கள் வைத்திருக்கக்கூடிய ஒரு முதலாளிக்கு மேற்கொண்டு சில ரூட்டுகளைக் கொடுத்து, 10 பஸ்களுக்கு மேற்பட்டு வைத்து நடத்தக்கூடிய முதலாளிகளை சிருஷ்டிக்கவிரும்புகிறார்கள். இதன் விளைவு என்ன? ஒன்றிரண்டு பஸ்களை வைத்திருக்கக்கூடிய சிறிய சிறிய முதலாளிகள் அவைகளை விற்றுவிட்டுப் போகவேண்டிய நிலைமைதான் ஏற்படும். அப்படிப்பட்டவர்களுக்கு இனி கொடுக்கக்கூடிய புது ரூட்டுகளைக் கொடுத்து மேலும் இரண்டு மூன்று பஸ்களை விடுவதற்கு சர்க்கார் அனுமதி கொடுக்கமாட்டார்கள். ஆனால் 7 அல்லது 8 பஸ்கள் வைத்திருக்கக்கூடியவர்களுக்கு புது ரூட்டுகள் கொடுக்கப்படும். இதன் விளைவாக சிறு பஸ் ஆபரேடர்கள் தொழிலைவிட்டு விட்டே வேலையில்லாமல் திண்டாடவேண்டிய நிலை ஏற்படும். ஆகவே இந்த யோசனையை சர்க்கார் புனராலோசனை செய்யவேண்டுமென்று கேட்டுக் கொள்கிறேன்.

“பஸ் பர்மிட் வழங்குவதில் திட்டவாட்டமான விதிகளைச் சர்க்கார் ஏற்படுத்தவில்லை. அப்படிச் செய்திருந்தால் அந்த விதிகள் இந்தச் சட்டத்தின் மூலம் கொண்டுவரலாம். ஆனால் அந்த மாதிரியான எண்ணம் சர்க்காருக்கு கிடையாது. அவ்வாறு திட்டவாட்டமான விதிகள் சர்க்காருக்கு கிடையாதென்று நாங்கள் மட்டும் கூறுவதல்ல. நீதிபதிகள் பல சந்தர்ப்பங்களில் கோர்ட்டில் சர்க்கார் வக்கீல்களிடத்தில் எடுத்துறைத்திருக்கிறார்கள். சர்க்காரும் ஒரு நிச்சயமான, ஒரு நிலையான விதியை ஏற்படுத்தி அந்த விதியின்படி சர்க்கார் லீ.ஆர்.டி.பீக்கு உத்தரவு போடவேண்டுமென்று ஹைகோர்ட்டு நீதிபதி கூறி இருந்தம்கூட, நம்முடைய சர்க்கார் அப்படி விரிவான விதிகளை ஏற்படுத்தி அவற்றை வைப்பதற்கு முன் வராமல் இப்போது தற்காலிகமாக சில மாறுதல்களை செய்வதற்கு அவர்கள் கொண்டு வந்திருக்கக்கூடிய திருத்தங்கள் ஒப்புக்கொள்ளக்கூடியதாயில்லை. என்ன மாறுதல் செய்யவேண்டுமென்று யோசனை செய்வதற்குத்தான் இதை செலக்ட் கமிட்டிக்கு விடவேண்டுமென்று நான் கேட்டுக் கொள்ளுகிறேன்.

“பஸ் நடத்துவதில் சர்க்கார் இஷ்டப்படி தலையிடுவதற்கு இருந்த அதிகாரத்தை விட்டுக்கொடுத்தது வரவேற்கத்தக்கதாய் இருந்தாலும் இனி நடத்தப்போவது லீ.ஆர்.டி.பீயும் ஆர்.டி.பீயும். இந்த விதி முறைகளைக் கொண்டு பர்மிட்டுகள் வழங்குவது எப்படி நிர்வாகத்தை நடத்தப்போகிறார்கள் என்பதற்கு ஒரு விதி இல்லாத காரணத்தினால் சர்க்கார் ஏற்கெனவே இருந்த ஊழல்கள் இன்னும் அதிகமான ஊழல்கள் செய்யக்கூடிய நிலைமையைத் தான் பார்க்கிறோம். ஒவ்வொரு தடவையும் ஹைகோர்ட்டுக்குப் போவதைப் பார்க்கிறோம் என்ற முறை இப்போது இல்லாமல் போய்விட்டது. சர்க்கார் அதிகாரத்தை எடுத்துக்கொள்ளமாட்டார்கள் என்று இப்போது பக்கத்தில் இருக்கக்கூடிய அங்கத்தினர்களுக்கு சொல்லிவிட்டால் மாத்திரம் போதாது, லீ.ஆர்.டி.பீக்கு போடக்கூடிய உத்தரவுக்கு மேலே அப்பீல் செய்துகொள்வதற்கு இடம் இல்லை. ஆர்.டி.பீயின் முடிவுக்கு மேல் லீ.ஆர்.டி.பீக்கு அப்பீல் செய்துகொள்ளலாம். அதற்குமேல் அப்பீல் செய்துகொள்வதற்கு இடம் கிடையாது. கிரமினல் சட்டத்தின்கீழ் தண்டிக்கப்பட்டவர்க்கூட அதற்குமேல் அப்பீல் செய்வதற்கு வழியிருக்கிறது. அதற்குமேல் ஹைகோர்ட்டில் ரிட் பைல் செய்யலாம். ஆனால் ஆர்.டி.பீ. உத்தரவு போட்டு அதற்கு மேல் லீ.ஆர்.டி.பீ. உத்தரவு செய்துவிட்டால் அதற்குமேல் அப்பீலுக்கு போகவே முடியாது. ஹைகோர்ட்டுக்கு போகலாம் என்று சொல்லலாம், ஆனால் ஹைகோர்ட்டுக்கு போகக்கூடிய அளவுக்கு யாரிடம் பணம் இருக்கிறது? பணம் படைத்தவர்கள்தான் ரிட் மூலம் பரிகாரம் தேடிக்கொள்ளலாம். அதைத்தான் நண்பர் ராஜா சிதம்பரமும் சுட்டிக்காட்டினார் என்று நம்புகிறேன். இந்த உத்தரவு தவறு என்று ஹைகோர்ட்டு உத்தரவு போட



[Sri M. Kalyanasundram] [14th December 1954]

முடியாது. ஆனால் ஹைக்கொர்ட்டு என்ன செய்யமுடியும் என்றால் இப்போதைய உத்தரவு செல்லாது. ஆகவே புனர் ஆலோசனை செய்யவேண்டுமென்றுதான் சொல்லலாம். லீ.ஆர்.டி.யில் எந்தவிதமான பரிகாரமும் சம்பந்தப்பட்டவர்களுக்கு ஏற்படப்போவதில்லை என்பது பல பஸ் முதலாளிகளின் அனுபவமாக இருக்கிறது. ஆகவே சரியான விதியை ஏற்படுத்த லீ.ஆர்.டி.பி. உத்தரவுக்கு மேலே அப்பீல் செய்து கொள்வதற்கு ஒரு டிரிபுனல் ஏற்படுத்தவேண்டும். ரிடையர்ட் ஹைக் கோர்ட் ஜட்ஜுகளையும் உத்தியோகப்பற்றற்றவர்களையும் சேர்த்து ஒரு டிரிபுனல் ஏற்படுத்தி நன்கு யோசிக்க வேண்டும். ஆகவே என்னுடைய இந்த யோசனையை சர்க்கார் யோசிக்கவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்.

“இன்னும் சில காரியத்தையும் சர்க்காருடைய கவனத்திற்கு கொண்டு வர விரும்புகிறேன். பஸ் நிர்வகிக்கக்கூடிய முறையில் சில ஊழல்கள் மலிந்து கிடக்கின்றன. இப்போது பஸ் முதலாளிகளுக்கும் போலீசாருக்கும் ஆர்.டி.எக்கும் இருக்கக்கூடிய உறவுகள் எல்லாம் சரியான முறையில் இல்லை, விரும்பக்கூடிய முறையில் இல்லை. வேண்டுதல் வேண்டாமை என்பது இந்த இடத்தில்தான் இருக்கிறது. ஆர்.டி.எயிலும் லீ.ஆர்.டி.பியிலும் போலீஸ் அதிகாரிகளும் ஒரு பஸ் முதலாளிக்கு வேண்டியவராக மாருந்தால் அவருக்குச் சலுகை கிடைக்கிறது. ஒரு வண்டிக்கு மூன்று மாதத்திற்கு ஒரு முறை கட்டக்கூடிய வரியானது 7 நாட்களுக்குள் கட்ட வேண்டியது என்று சரியான விதி இருக்கிறது. பிளாவேட் கார் இருந்தாலும்கூட ஆங்காங்கே நிறுத்தி (checked) என்ற slip ஒட்டுவார்கள். ஆனால் ஒரு வருஷம்வரை ஒரு க்வார்ட்டருக்கு வரி செலுத்தாமல் இருக்கக்கூடிய சில பஸ் முதலாளிகளுடைய வண்டிகள் இந்தப் போலீஸ்காரர்கள் கண்ணுக்கு படுவதே கிடையாது. இந்த சந்தர்ப்பத்தில் சமீபத்தில் நடந்த ஒரு சம்பவத்தை சபையின் கவனத்திற்குக் கொண்டு வர விரும்புகிறேன். செலம் ஜில்லாவில் ஒரு பஸ் முதலாளி Transport நடத்திக்கொண்டிருக்கிறார். அவருக்கு மூன்று பல்கள் இருக்கின்றன. அவருடைய பஸ் ஒன்றுக்காவது 4 க்வார்ட்டருக்கும் வரி செலுத்தவில்லை. ஆனால் வரி செலுத்தியதாக ரிஜிஸ்ட்ரேஷன் சர்ட்டிபிகேட்டில் entry இருக்கிறது. அது உண்மையான என்டிரியா? அல்லது ஆர்.டி.எ. கவனிக்கவில்லையா? கடைசியில் ஒரு வருஷம் கழித்த பிறகு விழித்துக்கொண்டு வரிசெலுத்தப்பட்டிருக்கிறது. இந்த ஒரு வருஷமாக இந்த பல்கள் போலீஸார் கண்ணுக்கு எப்படி படவில்லை என்று எனக்கு புரியவில்லை. இது ஆலோசிக்கவேண்டிய விஷயம். செலம் பஸ் ஸ்டான்டில் ஒவ்வொரு தினமும் ஒவ்வொரு பஸ்ஸும் 8 அணு கொடுக்க வேண்டுமென்று முறையிருக்கிறது. இதனால் ஒரு நாளைக்கு ரூ. 100-ல் இருந்து 120 வரைக்கும் சம்பாதிக்கிறார்கள். இதைப் பல இடங்களில் பங்கு போட்டுக்கொள்ளுகிறார்கள். இந்த மாதிரியான ஊழல்கள் எல்லாம் நடக்காமல் காங்கிரஸ்காரர்களானாலும்கூட, மற்றவர்களானாலும்கூட தயவு தாட்சண்யமின்றி சட்டத்தை சரியாக நடத்தவேண்டும்.”

**MR. SPEAKER :—**“The Hon. Minister will reply to the debate in the after-noon.”

**1-30 p.m. \*SRI M. KALYANASUNDRAM :—**“ஆகவே இன்னும் பல விஷயங்களைப்பற்றி பேசலாம் என்றிருந்தேன். பட்ஜெட் சமயத்தில் நமக்கு இதைப்பற்றியெல்லாம் பேசுவதற்கு சந்தர்ப்பம் கிடைப்பது இல்லை. ஆகையினால் இந்த சந்தர்ப்பத்தை பயன்படுத்திக்கொள்ளலாம் என்றிருந்தேன். இந்த பஸ் விஷயத்தில் என்னென்ன நடவடிக்கைகள் சர்க்கார் எடுத்துக்கொள்ள வேண்டும் இன்னும் என்னென்ன விஷயங்களை சர்க்காருடைய கவனத்திற்குக் கொண்டு வரவேண்டும் என்றிருந்தேன்.

“இப்பொழுது சென்னையில் பேபி டாக்லி இருக்கிறது. அது ஜனங்களுக்கு வசதியாகவும் சல்லிசாகவும் இருக்கிறது. ஆனால் அவைகளுக்கு வரி போடும்போது பெரிய டாக்லிகளுக்கு வரி போடுவது போல் அந்த



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பேபி டாக்ஸிகளுக்கும் சர்க்கார் வரி விதிக்கிறார்கள். இரண்டு டாக்ஸிகளுக்கும் ஒரே மாதிரியான வரி விதிக்கப்படுகிறது. பேபி டாக்ஸிகளுக்கும் பெரிய டாக்ஸிகளுக்கும் ஒரே மாதிரியான வரி போடுவது சரியானபதை சர்க்கார் சிந்தித்துப் பார்க்க வேண்டும்.

“அதோடு ரேட் விஷயங்களில் பல தவறுகள் இருக்கின்றன. சர்க்கார் நடத்தும் பஸ் விஷயத்தை எடுத்துக்கொண்டாலும் அது நன்றாகத் தெரியவரும். அவ்விதம் பஸ்களுக்கு ரேட் போடும் விஷயத்தில் சர்க்காரிடம் ஒரே மாதிரியான கொள்கை இருக்கிறதா என்பதையும் பரிசீலனை செய்யவேண்டும். பிறர் நடத்தும் பஸ் தொழிலை பார்க்காமல் சர்க்கார் எடுத்து நடத்தும் பஸ் தொழிலை எடுத்துக் கொண்டு பார்த்தாலும் இது நன்றாக தெரியவரும். சர்க்கார் எடுத்து நடத்தும் பஸ் தொழிலில்கூட இந்த ரேட் விஷயத்தில் பல வித்யாசங்கள் இருக்கின்றன. குறிப்பாக ஒன்றைப் பார்க்க வேண்டும். மாம்பலத்திலிருந்து பாரிசுக்குப் போகும் ரூட்டை எடுத்துக்கொண்டால் அது நன்றாகத் தெரியும். அந்த ரூட்டிலுள்ள பஸ்ஸுக்கு நாலரை விதிக்கிறார்கள். சில ரூட்களுக்கு அதே தூரத்திற்கு நாலரையரை விதிக்கிறார்கள். இன்னும் சில இடங்களில் ரேட்டு அதிகமாக இருக்கிறது. இப்பொழுது சென்னையில் பஸ்களில் இருக்கும் ஜன நெருக்கடியினால் ஜனங்களிடத்தில் அதிகப்படியான அதிருப்தி ஏற்பட்டிருக்கிறது. ஒரு காரியமாக ஒரு இடத்துக்கு 11 மணிக்குப் போக வேண்டுமென்றால் அவன் காலை 9½ மணிக்குக் வீட்டை விட்டு புறப்பட்டால்தான் அவன் 11 மணிக்கு தன்னுடைய வேலையை கவனிக்கப் போக முடியும். இந்த நிலைமையில் சென்னை பஸ் நிர்வாகம் இருக்கிறது. இதைத் தீர்ப்பதற்கு அதிகப்படியான பஸ்களையும் பெரிய பஸ்களையும் வாங்கி ஒட்டுவதோடு என்று சில தினங்களுக்கு முன் கனம் மந்திரி அவர்கள் குறிப்பிட்டார். அது இப்பொழுது என்னுடைய ஞாபகத்திற்கு வருகிறது. ரூபாய் 75 ஆயிரம், 80 ஆயிரம் கொடுத்து பெரிய வண்டிகளை வாங்கி ஒட்டுவதைக் காட்டிலும் சிறிய வண்டிகளை வாங்கி ஒட்டினால் ஜனங்களுக்கு சௌகரியமாக இருக்கும். அத்துடன் சர்க்காருக்கு அதிகப்படியான வருமானமும் கிடைக்கும். பெரிய பஸ்களை வாங்கி ஒட்டுவதனால் 40 பேர் அல்லது 50 பேர் போகலாம் என்றிருந்தாலும், ஜனங்கள் நிற்பதற்கு வசதி இருக்கிறது என்றிருந்தாலும் அவைகளுக்கு ஒரு கண்டக்டர் வைத்திருப்பது போதுமா என்று பார்க்கவேண்டும். அவைகளுக்கு இரண்டு கண்டக்டர்கள் இருக்க வேண்டியது அவசியம். அதனால் சிறிய வண்டிகளை வாங்கி அதிகப்படியான டிரிப்புகளை வைத்தால் நல்லதாக இருக்கும். அதனால் ஜனங்களுக்கும் சௌக்யம், சர்க்காருக்கும் அதிகப்படியாக வருமானம் கிடைக்கும். இப்பொழுது பார்த்தால் நெருக்கடியான சமயத்தில் அதிகப்படியான ஜனங்களை ஏற்றிக்கொண்டு போய்விட்டு மற்ற நேரங்களில் பஸ்கள் காலியாகப் போய்க்கொண்டிருக்கின்றன. ஆகையினால் அதிகப்படியான டிரிப்புகள் போனால் சர்க்காருக்கு அதிகப்படியான லாபம், அதனால் என்பதாயிரம் ரூபாய் கொடுத்து ஒரு பஸ் வாங்குவதை விட குறைந்த பணத்தில் அதிகப்படியான பஸ்களை வாங்கி அதிகப்படியான டிரிப்புகளை வைத்தால் சௌகரியமாக இருக்கும் என்பது என்னுடைய அபிப்பிராயம். இதை சர்க்கார் கவனிக்க வேண்டும். ஒரு பெரிய வண்டி வாங்குவதற்குப் பதிலாக மூன்று சிறிய வண்டிகளை வாங்கலாம். அவைகளினால் அதிகப்படியான டிரிப்புகளும் போகலாம்.

“அடுத்தபடியாக சர்க்கார் சில அதிகாரங்களை எடுத்துக்கொள்வதோடு கூட சில அதிகாரங்களை சி.ஆர்.டி.பிக்கும் ஆர்.டி. ஓக்கும் கொடுக்கிறார்கள். இந்த விஷயத்தில் சர்க்கார் கொஞ்சம் ஆலோசனை செய்யவேண்டும். இவ்விதம் அதிகாரங்களை எடுத்துக்கொள்ளும்போது சர்க்கார் ஜனங்களுடைய கஷ்டங்களைப் போக்க வேண்டும். மேலும் இந்த ஸ்தாபனங்களில் உத்யோகப் பற்றற்றவர்கள் இருக்க வேண்டும். அது ரொம்பவும் அவசியம். எந்தக் கட்சிகளைச் சேர்ந்தவர்களாக இருந்தாலும் அவர்களையும் சேர்த்துக் கொள்ளவேண்டும். அவ்விதம் சேர்த்துக்கொள்ளும்போது அவர் எந்த கட்சியைச் சேர்ந்தவர் என்பதைப்பற்றி கவலை இல்லை. அவர்கள் பொது மக்களுடைய பிரதிநிதிகளாக இருக்கவேண்டும். அவ்விதம் இருந்தால்தான் அவர்கள் நன்றாக வேலை செய்வார்கள். ஏனென்றால் அவர்கள்



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அடுத்த தேர்தலுக்கு நிற்கும்போது பொது ஜனங்கள் அவர்களுக்கு பதில் சொல்லுவார்கள். இதனால்தான் அவர்கள் உத்யோகப்பற்றற்றவர்களாக இருக்கவேண்டும். இது சர்க்காருடைய கொள்கைதான். ஆனால் இப்போது சர்க்காருடைய கொள்கைகள் மாறிக்கொண்டு வருகின்றன. ஒரு எம்.எல்.ஏ. ஜெயில் விசிட்ராக இருக்கலாம் என்றிருந்தது. அது இப்பொழுது போய் விட்டது. அவ்விதம் அவர்கள் மேல் பழி வாங்கப்பட்டிருக்கிறது. இப்பொழுது எம்.எல்.ஏக்கள் ஜெயில் விசிட்ராக இருக்கக் கூடாது என்றிருக்கிறது. பொதுத் தேர்தலுக்கு முன்பு அவ்விதம் போகலாம் என்றிருந்தது. எம்.எல்.ஏக்கள் ஆர்.டி.எவில் இருக்கலாம் என்றிருந்தது. அதுவும் இப்பொழுது எடுக்கப்பட்டு விட்டது. அவ்விதமே ஜில்லா போர்டு தலைவரையும் பழி வாங்கப்பட்டிருக்கிறது. பொது ஜனங்களுடைய பிரதிநிதிகள் பேரில் இவ்விதம் பழி வாங்கப்படுகிறது. இப்பொழுது ஆர்.டி.எவிலிருந்து ஜில்லா போர்டு தலைவர்களை வெளியேற்றி இருக்கிறார்கள். ஆகவே எந்த கட்சியைச் சேர்ந்தவர்களாக இருந்தாலும் அவர்களை பொது ஸ்தாபனங்களில் சேர்த்துக் கொள்ள வேண்டும். அதுதான் ரொம்பவும் நியாயமானது. அவர்கள் அந்த பொது ஸ்தாபனங்களில் இருப்பதால் ஊழல் அதிகமாக ஏற்படுகிறது என்று சொல்லப்படுகிறது. நிர்வாகத்தில் இப்பொழுது ஊழல்கள் இல்லை யா என்று கேட்கிறேன். அவ்விதம் ஊழல் இருக்கிறது என்றால் பொது ஜனங்களுடைய பிரதிநிதிகள் அந்த ஸ்தாபனங்களிலிருந்தால் அப்படிப்பட்ட ஊழல்கள் நீங்கிவிடும். ஹைவேஸ் இஞ்சினீயரைப் போட்டு விட்டால் அந்த ஊழல்போய் விடும் என்று நினைப்பதற்கில்லை. அதை ஒரு நாளும் ஏற்றுக்கொள்ள முடியாது. ஆகையினால் சர்க்கார் இந்தக் கொள்கையையெல்லாம் பரிசீலனை செய்து ஒரு முடிவுக்கு வரவேண்டும் என்று கேட்டுக்கொண்டு என்னுடைய பேச்சை இத்துடன் முடித்துக்கொள்ளுகிறேன்.”

MR. SPEAKER :—“ The Hon. Minister will reply to the debate after lunch. The House will now rise and meet again at 2-30 p.m.”

The House then rose for lunch.

(After lunch—2-30 p.m.)

\* THE HON. SRI B. PARAMESWARAN :—“ Mr. Speaker, Sir, I am really surprised that there should have been any opposition at all to such a useful measure as this. I am sure that those Members who opposed this Bill did so merely because they wanted to oppose it. They know for certain that the Government are surrendering their powers. There are, of course, certain measures to which the Opposition can certainly take objection. But in this case it is a measure which is intended to reform the transport system in this State in the interests of the general public. The points made out by some hon. Members only go to support the reasons for which this Bill has been brought in.

“ The hon. Gentleman, Sri K. P. Gopalan, was saying that small operators were being crushed and that this Bill would only help to strengthen the big operators. But that is not the intention of the Government at all. The Planning Commission wanted to see that small operators did not perish and that viable and economic units were formed so that the public might be served efficiently. The Transport Advisory Council, of which the hon. the Deputy Leader of the Opposition, Sri Kalyanasundram is a member,



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considered the suggestion and advised the Government accordingly. That was why the instruction referred to by the hon. the Deputy Leader of the Opposition was issued. If, after some time, we find that the Government Order is not working properly, the Government may reconsider it. But, on that account, there need not be any opposition to this Bill.

“The hon. Gentleman, Sri Narayana Kurup, pointed out certain defects in the working of the present Act. They are of minor importance and they do not relate to the Bill under discussion. Some hon. Members thought that they could stray away from the subject proper and speak as if they were discussing budget proposals. I thought that Members would confine their remarks to the amendments proposed in this Bill. The hon. Gentleman, Dr. Menon, said that some operators were carrying fish on the top of buses. But these are all matters which can be rectified by the Regional Transport Authorities themselves at the proper time. We feel that it is necessary to open up certain routes because certain persons are monopolizing some routes. It is only for such purposes that we want to take power. We will not exercise that power always. It is only when public interests warranted demand for it, we will exercise it. But, as pointed out by my hon. Friend, a small matter like the construction of a bridge, is not a thing for the Regional Transport Authority to do.

“With regard to certain shuttle trips and other matters which were referred to by the hon. Gentleman Sri Narayana Kurup, I shall go into them, but I do not know how they are relevant to the Bill under discussion here.”

\* SRI M. NARAYANA KURUP :—“They are all administrative matters.”

THE HON. SRI B. PARAMESWARAN :—“It is only for the improvement of administration that the Government propose to make a change in the set-up of the Regional Transport and the State Transport Authorities. When such a change comes, I hope that we will transfer the powers that are now being exercised by the Government to those authorities. In the interim period, we want to retain the powers that we have. Therefore, it is only a question of temporary adjustment.

“I may assure the hon. the Deputy Leader of the Opposition that we did implement the decision of the Transport Advisory Council so far as formation of viable and economic units was concerned. If there are any other matters of importance which the hon. Gentleman may suggest, they can be considered in the Advisory Council. But that need not stand in the way of our pushing through this Bill.

“I know that the hon. Members welcome this Bill in their heart of hearts. I hope that they will give their support to this Bill. I request the hon. Members who have moved amendments



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to withdraw them. The hon. the Deputy Leader of the Opposition Sri Kalyanasundram took advantage of this occasion and criticised the transport system in Madras City. But that matter has nothing to do with the Bill under discussion. I know that there are some defects here and there. We are badly in need of buses. Buses are day after day becoming deteriorated, but they are being replaced by new buses. The Hindusthan Aircraft Company are also doing their level best; we are doing our best to increase the strength of our fleet. But that is a different matter and does not relate to the subject under discussion to-day.

"If the hon. Members of this House go through the proceedings of the Legislature, they will find that criticisms, uncalled for and uncharitable criticisms, have been levelled against the non-official members of the Regional Transport Authorities and motives have also been attributed to the Government that they were trying to force their view by using their influence with the nominated non-official members. I thought that the Opposition would be only too glad if the Government did not nominate any non-official members to serve on these bodies. I know they will feel glad that these bodies were devoid of these nominated members. Sir, I may tell the hon. Members that when we nominate any member to serve on these bodies, it is not for achieving any particular object. Except the Malabar District Board, in almost all the districts, Congress candidates have been elected as District Board Presidents. So, it will be very advantageous to the members of the Congress Party if those Presidents are nominated as members of the Regional Transport Authorities. But we do not want motives to be attributed to us. I do not mean to say that the administration should be completely devoid of non-official elements. I know in some way or other, non-officials have to be associated with administration. We want to reorganize the Regional Transport Authority and the Central Road Traffic Board. We intend making certain changes in their organization. But, I am also aware of the fact that rules have not been framed. They are being framed. When the rules are framed, there will not be any need for a Tribunal as suggested by the hon. Deputy Leader of the Opposition. We are surrendering our heavy responsibilities and powers that we are exercising to-day. When those powers are exercised by a Central Authority it must be weighty and impressive. It is for that purpose we intend introducing a change in the set-up. With the change in the present set-up and with the introduction of new rules, I am sure that many of the abuses which have been referred to by the hon. Members will be avoided and we will see that the transport system functioned efficiently.

"With regard to the other points raised by the hon. Members, whether they are relevant to the Bill under discussion or not, I have made a note of those points and I shall try to see that the defects mentioned by the hon. Members are rectified. I request hon. Members, Sri Kalyanasundram and Sri K. P. Gopalan, to withdraw their amendments."



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\* SRI K. P. GOPALAN :—“ Sir, I want some clarification from the Hon. Minister. Suppose I give a petition to the Regional Transport Authority. If it rejects the petition, I can appeal to the Central Road Traffic Board. When this Board also rejects my petition, there is no arrangement by which I can appeal against this rejection. Such being the case, how can an aggrieved person get justice? Secondly, under section 44 of the Act, the Government are empowered to nominate officials and non-officials to the Regional Transport Authority as well as the State Transport Authority. I want to know why the Government are not prepared to take the non-officials into confidence in this matter especially when the Government have got to do it according to the present provisions of the Act itself. If the Government are not influenced by the non-officials in the matter of the distribution of route permits, it is most welcome. I want the Hon. Minister to clarify these two points.”

\* THE HON. SRI B. PARAMESWARAN :—“ Perhaps the hon. Member wants to know whether there will be a body over and above the Central Road Traffic Board which would exercise revisionary powers. When the Central Road Traffic Board itself is well organized we hope that it will be quite adequate, impressive and weighty to deal with the various cases. As it is, I do not think any injustice will be done. Let us watch the present arrangement for some time, say six months and if there was need for some other body over and above the Central Road Traffic Board, we can consider that aspect of the matter. But at present, as the whole scheme is under consideration of the Government, Sir, I am sure that there will not be any need for appeals over and above the Central Road Traffic Board except in matters where some legal issues are involved. Apart from that, when the rules are framed, those in charge of the various bodies, whether they are officials or non-officials, will not go out of the way. After all, they have to act within the rules. As for the other point raised by hon. Member Sri Gopalan, I can assure him that it is not for want of confidence that we have excluded non-official elements from these bodies. We thought that those bodies were unwieldy, and we wanted to save them from the trouble and botheration.”

\* SRI S. RAMALINGAM :—“ கனம் சபாநாயகர் அவர்களே, லி.ஆர்.டி.பி. நன்கு ஸ்தாபிக்கப்பட்ட ஸ்தாபனம். அது கொடுக்கக்கூடிய உத்தரவுகளை ஆட்சேபித்து மறுபடியும் அப்பீலுக்கு போகவேண்டிய அவசியமே ஏற்படாது என்று கனம் மந்திரி அவர்கள் சொன்னார்கள். நான் சர்க்காரிடம் சி.ஆர்.டி.பி.-க்கு அப்பீல் செய்துகொண்ட மனுக்களில் எத்தனை நியாயமென்று ஊர்ஜிதம் செய்யப்பட்டிருக்கின்றன. எத்தனை தவறு என்று ஊர்ஜிதம் செய்யப்பட்டிருக்கின்றன. அப்படி அவர்கள் தவறு என்று ஊர்ஜிதம் செய்திருந்தால் அதை எந்த அடிப்படையில் தவறு என்று ஊர்ஜிதம் செய்தார்கள், அதை சர்க்காரும் நியாயமானது என்று கருதுகின்றதா என்பதையெல்லாம் முதலில் தெரிந்துகொண்டால் அவர்களுடைய உத்தரவுகளும் மேலாக அப்பீல் செய்துகொள்வதற்கு வசதி இருக்கவேண்டுமா என்று தெரிந்துகொள்ள முடியும். ஆகவே கனம் மந்திரி அவர்கள் அதைப்பற்றிச் சொல்வார்களா ? ”



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SRI K. PARTHASARATHY :—“ The Hon. Minister stated that at present there is no intention of providing for second appeals. I would like to draw his attention to section 64, which provides that ‘ any person who is aggrieved by the order of a Regional Transport Authority or the State Transport Authority may, within the prescribed time and in the prescribed manner appeal to the prescribed authority . . . ’ Are we to understand that the Government do not intend providing the ‘ prescribed authority ’ that is mentioned under Section 64? What is the policy of the Government with regard to this matter? While on this point, I would like to bring to the notice of the Government . . . ”

MR. SPEAKER :—“ The hon. Member cannot make a speech after the Hon. Minister had replied to the debate.”

\* SRI K. PARTHASARATHY :—“ I am only trying to get some clarification . . . ”

MR. SPEAKER :—“ When the clauses are taken up for discussion, the hon. Member may give his views. Now he cannot make a speech.”

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\* THE HON. SRI B. PARAMESWARAN :—“ Sir, regarding the point raised by the hon. Member Sri Parthasarathy, I will consider that, at the proper time. But I would like to tell hon. Member Sri Ramalingam that except in a few cases, the Government have upheld orders of the Central Road Traffic Board.”

MR. SPEAKER :—“ Is the hon. Member Sri Gopalan withdrawing his amendment? ”

SRI K. P. GOPALAN :—“ I am not withdrawing the amendment, Sir.”

MR. SPEAKER :—“ The question is—

‘ That the Motor Vehicles (Madras Amendment) Bill, 1954, be circulated to elicit public opinion thereon.’ ”

The amendment was put and lost.

MR. SPEAKER :—“ Then, there is the amendment of the hon. Member Sri Kalyanasundram. Is he withdrawing it? ”

SRI M. KALYANASUNDRAM :—“ I am not withdrawing my amendment, Sir.”

MR. SPEAKER :—“ The question is—

‘ That the Motor Vehicles (Madras Amendment) Bill, 1954, be referred to a Select Committee.’ ”

The amendment was put and lost.



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MR. SPEAKER :—" The question is—

' That the Motor Vehicles (Madras Amendment) Bill, 1954 be taken into consideration at once.' "

The motion was carried.

MR. SPEAKER :—" Now let us take up clause by clause consideration of the Bill."

Clause 2 was put and carried.

### Clause 3.

MR. SPEAKER :—" The question is—

' That clause 3 do stand part of the Bill.' "

SRI M. KALYANASUNDRAM :—" I move my amendment, namely :—

' Add at the end of clause 3 the following :—

*" And any person aggrieved by the orders of the authority made under sub-section (1) or (2) may within the prescribed time appeal to the High Court of Madras." "*

SRI S. RAMALINGAM :—" I second the amendment, Sir."

\*SRI M. KALYANASUNDRAM :—" கனம் சபாநாயகர் அவர்களே, காலியலேயே நான் பேசும்போது, லீ.ஆர்.டி.பி. உத்தரவு களுக்குமேலும் அதை ' ரிவைஸ் ' பண்ணுவதற்கு ஒரு ஸ்தாபனம் இருக்கவேண்டுமென்று எடுத்துச் சொன்னேன். ஆனால், சர்க்கார் அதை அனுதாபத்தோடு கவனிக்கவில்லை என்று தெரிகிறது. நிதி மந்திரி அவர்களுடன் பேசிக்கொண்டிருந்ததிலிருந்து நான் அறிந்த விஷயம் என்னவென்றால் லீ.ஆர்.டி.பி.யை விரிவுபடுத்துவது—எண்ணிக்கையில் அல்ல, தன்மையில் சில மாறுதல்களை ஏற்படுத்துவதற்கு சர்க்காருடைய உத்தேசத்தில் இருப்பதாக அறிகிறேன். பரான்ஸ்போர்ட் கமிஷனருக்குப் பதிலாக ஒரு ரெவினியூ போர்டு மெம்பரையும் சேர்த்து, ரெவினியூ போர்டு மெம்பரின் தலைமையின்கீழ் லீ.ஆர்.டி.பி. அமைக்கப்படும். ஆகையால் போதுமான பாதுகாப்பு இருக்கும் என்று சொல்லப்படுகிறது. அதற்கு மேல் அப்பீல் செய்துகொள்வதற்கு அவசியம் இல்லை என்று சர்க்கார் கண்ணோட்டத்தில் இருக்கிறதென்று நான் உணருகிறேன். அதனால்தான் இந்தத் திருத்தத்தை நான் பலமாகப் பிரேரிக்க வேண்டிய அவசியம் ஏற்பட்டிருக்கிறது.

" சர்க்காரை எதிர்க்கவேண்டுமென்பதற்காக நான் இதை எதிர்ப்பதாக சர்க்கார் நினைக்கக்கூடாது. லீ.ஆர்.டி.பி.யையும் நான் குறைகூறுவதாக அர்த்தம் இல்லை. ஏற்கெனவே லீ.ஆர்.டி.பி., லீ.ஆர்.டி.பி., அதற்குமேல் கவரன்மெண்ட் என்ற வரிசைக்கிரமத்தில் அப்பீல் செய்துகொள்வதற்கு வகை இருக்கிறது. இவ்விதமாக கீழே கொடுத்த உத்தரவை, அதற்கு மேல் இருக்கும் ஸ்தாபனத்தைக்கொண்டு ' ரிவைஸ் ' பண்ணிக்கொள்வதற்கு வசதியும் சந்தர்ப்பமும் இருந்தும் கூட பல குறைபாடுகள் இருக்கின்றன. ராஜ்யம் பூராவிலும் அதிருப்தியும் மனக்கசப்பும் இருந்து வருகின்றன. அப்படியிருக்கும்போது லீ.ஆர்.டி.பி. உத்தரவுக்குமேலே அதை ' ரிவைஸ் ' பண்ணுவதற்கு ஸ்தாபனம் இல்லாவிட்டால் லீ.ஆர்.டி.பி.யின் அதிகாரம் எல்லையற்றதாகப் போய்விடும். லீ.ஆர்.டி.பி.யின் அதிகாரத்தை மாற்றுவதற்கு ஒரு ஸ்தாபனம் இல்லை, என்ற நிலைமை ஏற்பட்டால் லீ.ஆர்.டி.பி. சொன்னதை மாற்றுவதற்கு வழியில்லாமல் போய்விடும், அதற்குப் பிறகு லீ.ஆர்.டி.பி. போடும் உத்தரவு தான்



[Sri M. Kalyanasundram] [14th December 1954]

அமல் நடக்கும் என்ற நிலைமை ஏற்பட்டால் லி.ஆர்.டி.பி. எப்படியும் பரிசுத்தமானவர்கள் என்பதை ஒப்புக்கொள்ளவேண்டியிருக்கும். ஆர்.டி.எ.யில் உத்தியோகப்பற்றற்றவர்கள் இருந்தால் சந்தேகத்திற்கிடமாகும். (Interruption.) ஹைகோர்ட் நீதிபதியைப்பற்றி நீதி மந்திரி அவர்கள் வேண்டுமானால் சொல்லட்டும். நான் சொல்லத் தயாராயில்லை. நான் ஏன் இதைச் சொல்லுகிறேன் என்றால், யார் யாரை யார் சந்தேகப்படுவது என்கிற ஒரு உத்தரவு போட்டால் அதைப் பரிசீலனை பண்ணுவதற்கு ஸ்தாபனம் இருக்கிறது. முடிவு எடுப்பதற்கு சிந்தனை செய்து முடிவு எடுப்பார்கள். அதற்காக ஒரு 'செக்' மேலே இருக்கவேண்டுமென்பதற்காகத்தான் 'ரிவிஷனி' அதிகாரம் இருக்கக்கூடிய ஒரு 'ட்ரைபுனல்' ஏற்படுத்த வேண்டும். இல்லாவிட்டால் ஹைகோர்ட்டுக்காவது ரிவிஷனி அதிகாரம் இருக்கவேண்டும் என்று சொல்கின்றேன். இப்பொழுது இருக்கும் சட்டத்தின்படி ஹைகோர்ட்டுக்கு ரிவிஷனி அதிகாரம் கிடையாது. ஹைகோர்ட்டிலே போய் 'ரிட்' தாக்கல் செய்தால் ஹைகோர்ட் தஸ்தாவேஜுகளை வரவழைத்துப் பரிசீலனை செய்து அந்த ஆர்டர் செல்லுபடி ஆகுமா ஆகாதா என்று உத்தரவு பிறப்பிப்பார்கள். அந்த ஆர்டர் எப்படி இருக்கவேண்டுமென்ற உத்தரவு ஹைகோர்ட்டில் போடுவது இல்லை. திரும்பவும் லி.ஆர்.டி.பி.க்கு வந்து, அது ஏற்கெனவே எடுத்த முடிவு எப்படி நியாயம் என்பதை அவர்கள் திரும்பவும் நியாயப்படுத்திவிடுகிறார்கள். லி.ஆர்.டி.பி. தஸ்தாவேஜுகளை மந்திரி அவர்களுக்கு அவகாசம் இருக்குமானால் புரட்டிப் பார்க்கட்டும். அப்படிப் பார்த்தால் 100-க்கு 99 கேஸ்கள் அம்மாதிரிதான் நிரூபிக்கப்பட்டிருக்கும். ஆகையால்தான் லி.ஆர்.டி.பி. உத்தரவுக்குமேல் பரிசீலனை செய்வதற்குள்ள ஒரு ட்ரைபுனல் இருக்கவேண்டும்; இல்லாவிட்டால் ஹைகோர்ட்டுக்காவது அப்பீல் செய்துகொள்வதற்கான அதிகாரத்தை இந்தச் சட்டத்தில் கொடுக்கவேண்டும் என்ற திருத்தத்தைப் பிரேரித்திருக்கிறேன். அதை மந்திரி அவர்கள் ஏற்றுக்கொள்வார்கள் என்று நான் நம்புகிறேன்."

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SRI P. RAMAMURTHI:—"In supporting the amendment moved by my hon. Friend Sri Kalyanasundram, I would like the Government to consider this question very seriously. Ostensibly, it is stated that the Government have come forward with this Bill in order to be free from the charge that the State Government often-times interfere in the matter of grant of these bus routes, in matters connected with the administration of the Motor Vehicles Act and, therefore, it is that the Government say, 'We will not be the appellate authority'. That should ostensibly be the reason why they have brought forward this measure. I would like them to consider seriously whether the purpose they have in view in bringing forward this Bill will be served. I submit that the purpose they have in view cannot be served. Why? After all, they are going to appoint a Central Road Traffic Board. Now the officers that are going to be appointed to this Board will in some measure or other be subject to the orders of the State Government. After all a Revenue Board Member may be appointed to the Board. If it is going to be a Revenue Board Member, the very power of appointment is in the hands of the State Government. Then there will be the Highways Engineer who is also subject to the authority of the State Government. With people of these types, there is always a certain inherent power with the Government which can be exercised at any time for the purpose of reconstituting that Board, removing such people and placing them in some other places. Therefore, though the State Government might say that this is an independent body, so long as



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that body or the officers who are functioning in that body have something to do with the State Government and the State Government can exercise some kind of control, whether that control is exercised overtly or covertly, so long as they can exercise a control over these officers, to say that the body is going to be an independent body is a misnomer. But over the High Court the State Government do not exercise any kind of authority. Even in the matter of appointment, it is some outside authority that appoints them. No doubt the State Government make their recommendations. But as far as the appointment is concerned, the State Government do not exercise any kind of authority whatsoever. After a person is appointed Judge of the High Court, the State Government have nothing to do with the functioning of the High Court Judge. Under the existing circumstances, the High Court at least has got a modicum of independence. This Central Road Traffic Board which the Government propose to appoint to-day will not have even that modicum of independence. Therefore, it will be a misnomer to say that it will be an independent body and, therefore, the State Government will still be open to the charge that they continue to influence the decision of the Central Road Traffic Board. If the State Government are serious that they must be free from the blame, I feel they cannot have any objection to accept the amendment moved by my hon. Friend Sri Kalyanasundram. I, therefore, support the amendment and would request the Government to accept it."

THE HON. SRI C. SUBRAMANIAM :—" Mr. Speaker, Sir, before the Hon. Minister replies, I would like to point out certain facts to the hon. the Leader of the Opposition and the hon. the Deputy Leader of the Opposition. They have completely missed the point and they have also failed to understand the scope of the amending Bill which is before the House. The point is this. Under the Motor Vehicles Act quasi-judicial authorities are being constituted for the purpose of granting permits to run public stage carriages and also for the purpose of regulating the running of these buses. There are two authorities constituted for this purpose. One is the Regional Transport Authority and the other is the Central Road Traffic Board. As against the orders of the Regional Transport Authority in many of the important cases, an appeal is provided for to the Central Road Traffic Board.

" Therefore, the Central Road Traffic Board is the appellate authority. Most of the matters are dealt with by the Regional Transport Authority but there are certain other incidental matters which are considered by the Central Road Traffic Board sitting originally for the first time and passing orders on them. That is one category of cases. But those cases are very few and the question of choosing one in preference to another does not arise in those cases. 3 p.m.

" Now, the all-important thing is the issuing of permits to a particular person, the opening of new routes and the extension of routes. All those things are first dealt with by the Regional Transport Authority and then immediately there is a right of appeal to



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the Central Road Traffic Board. In the original Central Act, there was no such appeal as against this revision as such. But in respect of Presidency Towns, persons who were residing within the Presidency Towns had the right to take the matter before the High Court in the form of a writ. Before the Constitution came into force that writ was restricted only to persons residing within the Presidency Towns and persons living outside the Presidency Towns had no right to go before the High Court for a writ. So, as far as the people in the mofussil are concerned, they did not have the remedy but the persons residing in the Presidency Towns were entitled to such a remedy. Therefore, the Government thought that they should bring in section 64-A, which is a very famous section now, under which the Government took revisionary powers in respect of orders passed either by the Regional Transport Authority or the Central Road Traffic Board. That is how the revisionary powers came to be exercised by the State Government. That amending Act, if I remember aright, was passed by the Assembly only in 1946 or 1947. So, even the persons residing in the mofussil had an opportunity to go before the High Court only when the Constitution came into force. Now, after the introduction of the Constitution, all the persons have a right to go before the High Court for a writ. Therefore, that distinction no longer exists. That is why after a great deal of consideration, we thought that there was absolutely no need for the Government to have revisionary powers. It is not as if we are removing a thing which has already been existing there.

“ Now, why not we have a right of appeal to the High Court? At no time was it contemplated that the High Court should serve as an appellate authority. As far as this matter is concerned, it is a tribunal's function and as tribunals, they have got judicial functions to perform. We cannot put those tribunals on a par with other civil courts or criminal courts. Even in the case of election tribunals where parties contest to become qualified as a member, a civil court or a criminal court or a High Court or the Supreme Court has no revisionary jurisdiction or appellate jurisdiction except by way of writ. Much less in a case where certain licences have to be issued and other incidental matters have to be looked into, this tribunal should be put on a par with a court and an appeal provided to the High Court. The hon. Deputy Leader and the hon. Leader of the Opposition know that if the matter is taken on appeal to the High Court, the scope will be enlarged. I have absolutely no doubt that we will have to appoint three more judges to the High Court for the purpose of disposing of the appeals preferred by various bus operators. It will be administratively impossible to provide appellate jurisdiction for the High Court in this matter and it will be a very heavy burden. Of course, it is easy enough to say, ‘ provide an appeal to the High Court and they will only scrutinize the administrative action.’ It is not so easy as that. Not only two or three more judges will have to be appointed, but everything will have to be printed. It is not merely a question of exercising jurisdiction



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where there is not a case for it but it will go much beyond that. Therefore, I am afraid it will not be possible to accept the amendment. But I do agree that in cases where the Central Road Traffic Board passes original orders, there should be some authority to go into the whole thing if the aggrieved person wants to take it on appeal. For that, no amendment is necessary because section 64-A gives the Government power to make rules wherein it may be provided for. I may assure the House and also the hon. Leader of the Opposition that we shall consult the State Advisory Transport Committee about the proper set-up for this purpose before we take decisions in regard to all these matters. Therefore, I am afraid the Government are unable to accept the amendment suggested by the hon. Deputy Leader of the Opposition."

MR. SPEAKER :—" Is the hon. Member, Sri Kalyanasundram, pressing his amendment? "

SRI M. KALYANASUNDRAM :—" In view of the assurance given by the Hon. Minister for Finance, I am not pressing it."

The amendment of Sri M. Kalyanasundram was, by leave, withdrawn.

Clause 3 was put and carried.

Clause 4 was put and carried.

Clause 5.

MR. SPEAKER :—" Motion moved—

' That clause 5 do stand part of the Bill.' "

\* SRI K. P. GOPALAN :—" Sir, I move—

' For the existing clause, substitute the following :—

" 5. *Transitory provision.*—All proceedings pending with the State Government on the date on which this Act comes into force shall be disposed of by the Government itself." "

SRI S. RAMALINGAM :—" I second it, Sir."

MR. SPEAKER :—" Motion moved—

' For the existing clause, substitute the following :—

" 5. *Transitory provision.*—All proceedings pending with the State Government on the date on which this Act comes into force shall be disposed of by the Government itself." "

\* SRI K. P. GOPALAN :—" Sir, I want only one clarification from the Hon. Minister so that I can know the actual position. Now, there are so many appeals pending with the Government. These appeals were sent to the Government by the aggrieved parties because they found that the Central Road Traffic Board did not



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do justice to them. If the Government give an assurance that pending appeals will be disposed of by the Government, then I will withdraw my amendment."

\* THE HON. SRI B. PARAMESWARAN :—" We will notify the particular date. Only after that, we will surrender our powers. Till then we will have those powers. I am sure the Government will dispose of all the pending papers with them."

MR. SPEAKER :—" Is the hon. Member, Sri Gopalan, pressing his amendment now? "

SRI K. P. GOPALAN :—" I am not pressing it."

The amendment of Sri K. P. Gopalan was, by leave, withdrawn.

Clause 5 was put and carried.

3-10 p.m. MR. SPEAKER :—" May I know whether hon. Member Sri K. P. Gopalan is moving his amendment adding a new clause after clause 5? "

\* SRI K. P. GOPALAN :—" As my amendment similar to the one moved earlier by the hon. Member Sri M. Kalyanasundram; I am not moving the amendment I have given notice of."

Clause 1 and the Preamble were put and carried.

THE HON. SRI B. PARAMESWARAN :—" Mr. Speaker, Sir, I move—

*' That the Motor Vehicles (Madras Amendment) Bill, 1954, be passed into law.' "*

MR. SPEAKER :—" The question is—

*' That the Motor Vehicles (Madras Amendment) Bill, 1954, be passed into law.' "*

The motion was put and carried and the Bill was passed into law.

(4) THE MADRAS ESTATES (ABOLITION AND CONVERSION INTO  
RYOTWARI) AMENDMENT BILL, 1954.

\* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Mr. Speaker, Sir, I beg to introduce the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill \* 1954 and move—

*' That the Bill be taken into consideration at once.'*

It will be useful to hon. Members if I place certain facts and circumstances under which this Bill is brought before this House so that all Members can understand the implications of this Bill.

\* Published in the Fort St. George Gazette Extraordinary, dated 4th December 1954.



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“ The Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948, became law in April 1949. Immediately thereafter arrangements were made to implement its provisions and estates were taken over in batches. In the course of the working of the Act, it has been found that certain sections require to be amended and the Bill contains such of the amendments as are urgent. The other amendments will be brought forward in a separate Bill later on. I will now explain the provisions of the present Bill.

“ Under section 1 (4) of the Act, some of the sections of the Act shall come into force at once and the rest of the Act shall come into force in regard to any zamindari, under-tenure or inam estate on such date as the Government may, by notification, appoint. Each estate is taken over by the Government on a date notified under section 1 (4) and with effect from that date the entire provisions of the Act apply to the estate. The Government have been obliged to refrain from taking possession of certain estates on the notified dates on account of the injunction orders of Courts. In some cases, the Government had to defer further acts of management after the estates had been actually taken over on account of the stay orders of Courts. In such cases the provisions of the Act which were made applicable with effect from the notified date could not be enforced till the stay orders in question were vacated. There are administrative difficulties in enforcing the provisions of the Act with retrospective effect from the notified date after the stay orders are vacated, both in the case of various amounts to be recovered from the landholders and the amounts to be paid to them. The Government have been issuing orders under section 68 of the Act to remove these difficulties as and when they arose but they consider that it is desirable to amend the Act to make it clear that in the cases affected by the stay orders of Courts as stated above the notified date will be the date from which the Government have been in uninterrupted possession of the estate. Clauses 2 and 3 of the Bill make the necessary provision for this purpose.

“ It is necessary that the proceedings taken by the Government between the notified date and the date on which further action under the Act was interrupted on account of the stay order, should be validated. Clause 10 of the Bill provides for this.

“ Under section 9 (3) of the Act, the Settlement Officer has powers to decide whether an inam village is an inam estate or not, and under section 9 (4) (a), any person deeming himself aggrieved by a decision of the Settlement Officer may appeal to the Tribunal. The Government cannot under this section file an appeal before the Tribunal against the decision of the Settlement Officer, since according to section 3 (22) of the Madras General Clauses Act, 1891, the expression ‘ person ’ includes any company or association of individuals, whether incorporated or not, but does not include the Government. Although the Government may not generally be concerned with a decision of the Settlement Officer as to whether a particular village is or is not an inam estate, cases do occasionally arise where such decision has to be contested by the Government



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on the ground that the village is not an inam estate but is an under-tenure estate or is not an estate at all. It is, therefore, considered that the Government also should have a right of appeal against the decision of the Settlement Officer under section 9 (3). Clause 4 of the Bill makes the necessary provision for the purpose in section 9 (4).

“ Under section 15 (1) of the Act, the Settlement Officer shall examine the nature and history of all lands in respect of which the landholder claims a ryotwari patta and decide in respect of which lands the claim should be allowed. Under section 15 (2) any person deeming himself aggrieved by a decision of the Settlement Officer under sub-section (1) may appeal to the Tribunal. The Government cannot under sub-section (2) of section 15 file an appeal against the decision of the Settlement Officer under sub-section (1), since as already explained in respect of section 9 (4), the expression ‘ person ’ does not include Government. It is not at all likely that the ryots who are primarily interested will contest the landholders’ claims particularly when such claims relate to communal lands in respect of which the ryots had not been actually exercising any communal right and were unaware whether the landholders had any rights therein. Even if in some cases the ryots desire to contest such claims, they may not be able to do so as they may not have the financial resources necessary for the purpose. The Government, therefore, consider that they should contest all claims to ryotwari pattas by landholders which are *prima facie* untenable and unreasonable and that it is neither safe nor expedient to leave it to the ryots alone to do so. Managers of estates have, therefore, been asked to contest the claims of the landholders wherever necessary. In such cases where the Settlement Officers give decisions against the Government, it is but reasonable that the Government should have a right to prefer an appeal to the Tribunal. Clause 6 of the Bill makes the necessary provision for the purpose in section 15.

“ The Act allows the Tribunal in its discretion to admit appeals under sections 9 (4), 10 (3) and 15 (2) of the Act at any time. Cases have come to the notice of the Government where appeals have been admitted by the Tribunal even after three years. It is necessary that there should be some finality in these matters. It is, therefore, considered desirable to restrict the power of the Tribunals to extend the time within which appeals should be filed to six months after the period prescribed in the Act. It is, however, considered necessary in the case of a decision under section 15 that the Tribunal’s power to extend the time in cases of appeal by Government should not be limited where the decision is vitiated by fraud or mistake of fact. The amendments made to sections 9 (4), 10 (3) and 15 (2) by clauses 4, 5 and 6 of the Bill seek to achieve this object also.

“ Under section 3 (3) of the Madras Estates Land (Reduction of Rent) Act, 1947, the reduced rates of rent fixed under that Act take effect from the commencement of the fasli year 1357 and the ryots are not bound to pay rent at any rate which is in excess of



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such rates. As the preliminary enquiries and other operations connected with the reduction of rents took time, there was some delay in fixing the reduced rates of rent. The landholders, however, continued to collect the rents from the ryots at the old rates. To give the ryots the benefit of retrospective effect from fasli 1357 in the matter of reduced rents, orders have been issued to the effect that the excess collections made by the landholders should be adjusted in the case of estate villages taken over by the Government by short-payment of the assessments payable to the Government by the ryots and in the case of other estates villages by short payments of rents payable to the landholders by the ryots for subsequent faslis. There is, however, no provision either in the Rent Reduction Act or in the Zamindari Abolition Act, enabling the Government to recover from the landholders the excess collection adjusted towards the assessment payable to the Government by the ryots. It is not the intention of the Government that the landholders should retain with them the excess collections which are made good to the ryots by reducing the assessment due to the Government. It is, therefore, considered necessary to make specific provision in the Zamindari Abolition Act for the deduction of the excess collections so adjusted, from the interim payments to be made under sub-sections 3 and 4 of section 50 of that Act. It is also considered necessary to make similar provisions in sub-section (7) of section 50. Clause 7 of the Bill makes the necessary provision for this purpose.

“ For reasons similar to those set out above, it is considered necessary to amend section 54 also which relates to interim payments to religious, educational or charitable institutions governed by section 38 of the Act. 3-20 p.m.

“ Under section 50 (2) of the Abolition Act, interim payments have to be made to the landholders from the notified date till the compensation has been finally determined and paid. One-half of the compensation is paid in advance within six months from the notified date and thereafter annual interim payment is reduced by half. The rules made under the Act provide for the payment of the other half of the compensation in instalments, in cases where the basic annual sum exceeds Rs. 3,000. It therefore follows that the interim payment payable in any year should be only in proportion to the compensation outstanding in that year. But there is no provision in the Act which enables the Government to reduce the interim payment in proportion to the amount of compensation already paid. This involves double payment. It is therefore necessary to make specific provision to the effect that the interim payment payable in any year should be in proportion to the compensation amount outstanding in that year. Clause 7 of the Bill makes provision for this purpose also.

“ Under section 50 (7) of the Act, after the compensation has been finally determined and apportioned among the persons entitled thereto, the excess or deficiency in the interim payments made to each of such persons has to be adjusted on the basis laid down in



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that section. The section does not, however, specify the authority which should make the adjustment. As the compensation has to be apportioned by the Tribunal, the Government consider that it will be convenient if the Tribunal itself makes the adjustment of any excess or deficiency in the interim payments. It is accordingly proposed to lay down that the Tribunal shall make the adjustment at the time of paying the compensation amount and sub-section (9) of section 50 has been revised for this purpose by clause 7 of the Bill.

“It is possible that even after an adjustment has been made by the Tribunal as mentioned above, a portion of the total interim payments made to a person may still remain to be recovered. As there is no provision in the Act for recovering such amounts, it is proposed to add a specific provision to the Act making such excess amounts recoverable from the person concerned as an arrear of land revenue—please see the proviso to new sub-section (9) of section 50 inserted by clause 7 of the Bill.

“The opportunity has been taken to incorporate in this clause the modifications made in the main Act by section 5 of the Amendment Act I of 1950, for purposes of clarity and easy reference and as this section has thus become superfluous, it is being deleted by clause 9 of the Bill.

“Sir, I have already stated that this Bill is only intended to remove certain defects observed in the Act when implementing its provisions and I commend the Bill for the acceptance of the House.”

MR. SPEAKER :—“Motion moved—

‘That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954, be taken into consideration at once.’”

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p.m.

\* SRI S. RAMALINGAM :—“கனம் சபாநாயகர் அவர்களே, இந்த மசோதாவானது ஒரு சில அம்சங்களில் நாங்கள் வரவேற்கக்கூடிய தாயிருந்தாலுங்கூட ஒரு அம்சத்தை மாத்திரம் நாங்கள் கடுமையாக ஆட்சேபிக்கிறோம்.

“இந்த மசோதாவானது இச்சபைக்குக் கொண்டுவருவது இது முதல் தடவையல்ல. இதே மசோதா ஒரு சில மாற்றங்களுடன் முன்பே வந்திருக்கிறது. இந்த சபையிலேயே நான்கு தடவை கொண்டுவரப்பட்டு கைவிடப்பட்டது. ஒவ்வொரு தடவையும் ஒரு குறிப்பிட்ட திருத்தம் கூடாதென்று கைவிடப்பட்டது. அப்படியிருந்தும் நான்காவது தடவையாக கொண்டுவந்து நிராகரிக்கப்பட்ட இந்த மசோதா, இப்பொழுது 5-வது தடவையாக இதைக்கொண்டுவந்திருக்கிறார்கள். ஒரு குறிப்பிட்ட இனம் கிராமம் எஸ்டேட்டா இல்லையா என்று செடிஸ்மெண்டு அதிகாரி கூறும் தீர்ப்பை எதிர்த்து அப்பீல் செய்வதற்கு சர்க்காருக்கு அதிகாரம் கொடுக்கவேண்டுமென்ற காரணத்திற்காகத்தான் இந்த மசோதா தயாரிக்கப்பட்டது என்று சொன்னார்கள். இந்த மசோதாவானது அப்பீல் செய்வதற்கு ஒரு வருஷகாலம் அதிகாரம் கேட்கிறது. யாருடைய குறைகளைத் தீர்ப்பதற்காக இவ்வளவு அவசரமாக இந்த அதிகாரங்களைக் கேட்கிறார்கள்? விவசாயிகளின் குறைகளைத் தீர்ப்பதற்காகவா? சர்க்கார் தங்கள் உத்தரவை அப்பீல்செய்வதற்கு ஆட்சேபணையிலலை. ஆனால் அம்மாதிரி கேட்கவில்லை.



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‘Although the Government may not be generally concerned with a decision of the Settlement Officer as to whether a particular village is or is not an inam estate, cases do occasionally arise where such decision has to be contested by the Government on the ground that the village is not an inam estate but is an under-tenure estate or is not an estate at all.’

இந்த குறிப்பிட்ட இனம் கிராமங்கள் எஸ்டேட்டைச் சேர்ந்தது அல்ல என்று அப்பீல் செய்யும் உரிமை இந்த மசோதா மூலமாக சொந்தக் காரர்களுக்கு கிடைக்கிறது. இந்த எஸ்டேட்டு ஆக்கை பல வருஷங்களாக நாங்கள் ஆட்சேபித்து வந்திருக்கிறோம். இன்னும் டிரிபுனலுக்கு அப்பீல் செய்வதற்கு ஒரு வருஷகாலம் என்று வரையரை வைத்திருக்கிறார்கள். இவைகளெல்லாம் ஏற்கெனவே விவசாயிகள் அடைந்துவந்த நன்மையை பாதிக்கிறது. இதையெல்லாம் பாரக்கும்பொது பழையகாலத்தில் இருக்கக்கூடிய நிலைமையைத்தான் இந்த அரசாங்கம் கொண்டு வருகிறது என்று தோன்றுகிறது. இப்படிப்பட்ட குறைகளை நிவர்த்திக்க வேண்டுமென்றுதான் சென்ற நாள்கு ஆண்டுகளாக இந்த ஏற்பாட்டைச் செய்துவந்திருக்கிறார்கள். அப்பொழுது கொண்டுவந்த அந்த மசோதாவிலிருந்த அதே வாசகத்துடன் வேறு சிலவார்த்தைகளைச் சேர்த்திருக்கிறது.

“இன்னும் ஜமீன் பட்டா நிலங்கள் விஷயமாக கோர்ட் தீர்ப்பை ஆட்சேபித்து டிரிபுனலுக்கு அப்பீல் செய்வதற்காக சர்க்காருக்கு அதிகாரம் கொடுக்கவேண்டுமென்று சொல்லுகிறார்கள்.

‘Managers of estates have therefore been asked to contest the claims of the landholders wherever necessary. In such cases where the Settlement Officers give decisions against the Government, it is but reasonable that the Government should have a right to prefer an appeal to the Tribunal.’

இந்த அதிகாரத்தைக்கொடுப்பதற்கு எந்தவிதமான ஆட்சேபணையும் கிடையாது. ஜமீன்தார்களுக்குச் சொந்தமான நிலங்களுக்கு பட்டாகொடுப்பது போன்றவைகளை செடிஸ்மெண்டு ஆபீசர்கள் அரசாங்கத்திற்கு எதிராக தீர்ப்பு அளித்தால் அதை ஆட்சேபித்து அப்பீல் செய்வதற்கு சர்க்காருக்கு உரிமைவேண்டுமென்று கேட்கிறார்கள். இன்னும் தனிப்பட்ட காடுகள் மூலம் அதிகாரம் வேண்டுமென்று சொல்லுகிறார்கள். இந்த ஜமீன்தார்கள் உபயோகப்படுத்திக்கொண்டிருக்கும் சமுதாய சொத்துக்களை ஸ்லீகரிப்பதற்கு இதையும் சேர்த்துக்கொண்டு இனங்களையும் சேர்த்துக் கொள்வார்கள், ஆதலால் இந்த மசோதாவினால் விவசாயிகளுக்கு ஒருவித நன்மையும் ஏற்படாது. ஆபத்துதான் ஏற்படும் என்று சொல்லிக்கொண்டு முடித்துக்கொள்ளுகிறேன்.”

(The Deputy Speaker in the Chair.)

SRI P. RAMAMURTHI:—“Mr. Deputy Speaker, Sir, generally-speaking most of the provisions of this Bill are welcome, but the amendment to section 50, as has been pointed out by the hon. Member Sri Ramalingam is extremely pernicious. It is very necessary in this connexion to see what the original section 50 says and what the proposed amendment means. Under the original section 50, the Settlement Officer ‘shall examine the nature and history of all lands, in respect of which the landlord claims the ryotwari patta under sections 12, 13 or 14 as the case may be and decide in respect of which lands the claims should be allowed.’ Therefore, whenever a particular landlord claims that the particular land in an inam village is not an inam land or the village cannot be declared a whole inam village, and therefore, that particular village should be declared as ryotwari, in such cases, the Settlement Officer



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was authorized under sections 12, 13 and 14 to examine such claims and give his decision whether the land could be treated as inam land or ryotwari land.

3-30  
p.m.

“ But in cases where a decision had already been given by the Settlement Officer, the party aggrieved whether it is the landholder or the tenant or the ryot, could appeal against it. I would ask the Hon. the Minister for Revenue to look at section 15 (2) of the original Act. It says :—

‘ Any person deeming himself aggrieved by a decision of the Settlement Officer under sub-section (1) may within two months from the date of the decision, or such further time as the Tribunal may, in its discretion allow, appeal to the Tribunal and its decision shall be final and not be liable to be questioned in any Court of law. ’

Therefore, the right of appeal against the decision of the Settlement Officer was actually provided for in the original Act itself.”

\* THE HON. SRI M. A. MANICKAVELU NAICKER :—

“ Sir, the present amendment is that Government should also be able to appeal. ‘ Any person ’ mentioned in the Act will not cover Government but mean only Corporations and the like. We want to make this point clear. The existing provision will not apply to the Government.”

SRI P. RAMAMURTHI :—“ I am aware of that, Sir, but what I would like to point out is this. The right of appeal was specifically given to the parties aggrieved, whether that party was the landholder or the tenant. It is only one of these two parties that could at any time be aggrieved. If as a matter of fact, the landlord had been aggrieved, I dare say, he had ample opportunity to appeal. Here is a legal provision. Apart from that, he had ample resources in money and he could get legal advice from the best legal talents in the country. He had everything at his disposal and if he had had the modicum of a case against the decision of the Settlement Officer, he would certainly have taken advantage of the right of appeal provided for in sub-section (2) of section 15 of the Act. He would have appealed to the Tribunal. Therefore, as far as the landholder is concerned, it does not require the State Government to give him any special right. That is already there. I can understand a situation in which the tenants were not able to appeal by reason of the fact that they were poor and resourceless people. If they had not taken advantage of the provision in the Act due to financial inability and appealed against the decision of the Settlement Officer, I could understand the case of the Government in seeking to amend this section. I wish the Government had come forward and said : ‘ We want to do justice to the tenants and therefore, we want to have the power of appeal on their behalf. ’ Even though the landlord had the right of appeal within two months from the date on which the Settlement Officer



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gave his verdict, he did not do so and here the Government say : 'We want to fight on behalf of the landholder.' The new sub-clause says :

'Against a decision of the Settlement Officer under sub-section (1), the Government may within one year from the commencement of the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Act, 1954, or from the date of the decision, whichever is later, and any person aggrieved by such decision may, within two months from the said date, appeal to the Tribunal.'

We propose under this provision to deal with cases which have already been settled. For the failure of the landlord to take advantage of the right of appeal provided for in the Act, the tenants must suffer because the Government will go in appeal on behalf of the landlord! As far as we are concerned, we would certainly welcome such a provision provided it could always be laid down that the Government would come forward to appeal in those cases where the tenants had not appealed against the decision of the Settlement Officer. The Government should not seek to rake up questions settled long ago and create a state of unsettlement in the inam villages. This kind of provision is going to create a tremendous amount of restiveness and fear complex where none exist now, and where the tenants have received the full benefits of settlement. It will create restlessness and a state of unsettlement among the inam ryots. Therefore, while I generally welcome the Bill, I would request the Government very seriously to consider whether the amendment to section 15 (2) of the Act should remain in the form in which it stands now. Unfortunately, we have no time to consider the various aspects of this provision and I suggest that we defer consideration of this Bill for the present. I would ask the Government not to rush with the Bill but to consider seriously what I have said."

\* SRI P. S. KRISHNASAMY AYYANGAR :—"Sir, certain estates have been taken over by the Government wherein the ryots have certain grievances. When the Rent Reduction Act was made applicable to a particular estate, the landholder filed a writ petition in the High Court and a stay order was secured. While the stay order was in force, the landholder collected rent as per the custom and usage prevailing there prior to the grant of the stay. The writ petition was subsequently dismissed. Till the dismissal of the writ petition, the stay order was in force and the landholder was collecting half waram, which was the custom and usage. Meanwhile, as the writ petition was pending, the ryots raised a hue and cry that in spite of the application of the Rent Reduction Act, the landholder was collecting rent at the old rate. Complaints were made to the local officials and at once circulars were sent round to appease the ryots that they might pay the waram which they were paying previously, that after the estate was taken over they could pay the rent fixed under the Rent Reduction Act, and that any excess that they might have paid by then to the landholder would be adjusted towards the future rent. They were coolly paying this rent till the disposal of the writ petition and after it was dismissed the estate was taken over. When things



[Sri P. S. Krishnasamy Ayyangar] [14th December 1954]

went on in the old way they had paid the old rent for three or four faslis. Now the Act, as it is in the matter of adjustment of excess payments, applies only to the fasli during which the estate is taken over.

3.40 p.m. “ But they complained that they were made to understand that any excess waram that they were paying even during the previous faslis would be adjusted towards the rent that they should be liable to pay in future faslis. The promise seems to have been made and that promise should be redeemed. Whatever has happened in other estates, I know that in the estate called ‘ Konthallai ’ estate, this thing has happened. The ryots have come with a petition here. I think that petition must have reached the Revenue Minister by now. If it had not reached him, I make this representation here on their behalf. I want to have a clear idea whether excess rents paid for faslis prior to the taking over of the estate may be adjusted towards the rent payable for future faslis. Subsequent to the Rent Reduction Act made applicable to the estate, a writ petition was filed. The ryots have paid rents during the pendency thereof at the rate at which they were paying before the Act was applied to that estate. Can they adjust those excess rents towards the rent payable for future faslis, after the writ petition has been dismissed? This is the doubt that I want to have cleared.”

SRI P. RAMAMURTHI :—“ There does not appear to be any difference of opinion between the Opposition and the other side. Unfortunately this is a long Bill. It would be difficult to understand some of the wordings. After all if this is referred to a Select Committee the Committee can sit for a few hours, discuss the Bill threadbare, discuss facts and figures and then arrive at conclusions. Therefore I make this formal motion that the Bill be referred to a Select Committee.”

DEPUTY SPEAKER :—“ But the time for making that motion is past. You cannot move it now.”

\* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Mr. Deputy Speaker, I am afraid hon. Members read very much into the amendments than what is warranted. I know all the amendments are in favour of the ryots and not the landholders. Except one amendment in regard to which there is some confusion and misapprehension all other amendments are clear. With regard to that amendment (the one which has been misunderstood), I will explain the correct meaning.

“ The first amendment is with regard to the taking over of an estate after there has been a stay order issued by the High Court. Government intend to make it quite clear beyond all doubt that the date would be reckoned from the date of uninterrupted possession of the estate. That is our first amendment and is contained in clause 2 of the present Bill. We want to be clear about the date and we have defined it as the date from which we have been in uninterrupted possession of the estate.



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“ I shall now come to the decision of the Settlement Officer. With regard to the provision for appeal to the Tribunal against the decision of the Settlement Officer it is agreed. With regard to the decision of the Settlement Officer that the land is a private one, it is agreed that Government must appeal for the sake of the community. But it is agreed as regards the contesting by the Government of the decision of the Settlement Officer, that the village was an inam estate. Why the Government wanted to contest such decisions was that such a decision would involve added commitments for Government, as they would have to pay a higher rate of compensation for inams than for other estates. Further it would be a wrong decision to declare a village an inam village where it was an under-tenure estate or not an estate at all. After all Government money is public money. Government do not get money from the sky. When such is the case why should they waste public money when the Settlement Officer has given a wrong decision? Government must necessarily have the power to appeal in such cases. That is what is now provided for. Government should not keep quiet in such cases. It is quite a different matter if you want to have all inams to be brought under the scope of the Abolition Act. But you must do so by enacting a specific amending Bill, instead of taking advantage in a ‘sneaky way’ by a wrong interpretation and application of the existing Act. Hon. Members will now see that we have provided only for the contingency which occurs when a Settlement Officer gives a wrong decision to the effect that a village is an inam estate when in fact that village is an under-tenure estate or not an estate at all. Of course such a contingency may be very rare. But all the same we have to provide for appeal against such wrong decisions and that is what we have done.

“ Let me now come to the question of excess collections from the tenants by the landholders. Under the Rent Reduction Act, certain estates are notified. Under section 3 (3) of the Madras Estates Land (Reduction of Rent) Act, 1947, the reduced rates of rent take effect from the commencement of the fasli year 1357 and the ryots are not bound to pay rent at any rate which is in excess of such rates. As the preliminary enquiries and other operations connected with the reduction of rents took time, there was some delay in fixing reduced rent. The landholders, however, continued to collect the rents from the ryots at the old rates. In some cases, excess collection in this manner has continued for two or three years. We have said that in all those cases, if after the introduction of the Rent Reduction Act, excess collections had been made the same could be adjusted by the tenants towards future faslis. But suppose there has been a writ petition in the High Court and there has been a stay order. Suppose the litigation dragged on for some years and the landholder all the time has been collecting the excess rent from the ryots at his old rates. We have now made a provision that such excess collection would be recovered from him as arrears of land revenue if compensation has been paid in full or that it would be reduced from the interim



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compensation payable to him. We have also said now that only from the date from which the Government have been in uninterrupted possession of the estate, the Act would be applicable. Government cannot hold themselves responsible to enforce the Act during the interregnum.

“ The expression ‘ on the ground that a village is not an inam estate but an under-tenure estate or not an estate at all ’ seems to have created a doubt in the minds of hon. Members. Government come on the field only when a wrong decision has been given by the Settlement Officer.

3-50  
p.m. “ The other allegation is that the Bill has been brought three or four times in some form or other. With regard to that, I would like to submit that the Bill was postponed not for these reasons. On the last occasion, Sri G. Latchanna, who was then a Member of this House, admitted that these amendments were necessary and should be pushed through, but his anxiety was that we may not bring in an amending Bill for including the 1936 inams if once this small Bill is passed. That is why he objected. He accepted the amendments because they were all for the benefit of the ryots. But there was, however, a fear on his part that after having all the amendments passed, we may not have the incentive to bring the other Bill to include the 1936 inams also. He urged this consideration against proceeding with the Bill and in deference to the wishes of the House we dropped it. The other day, when we transacted non-official business, I said that we are progressing rapidly in the matter of taking over the 1936 inams also under the Estates Abolition Act. The real obstacle is with regard to compensation and since the compensation question is likely to be settled in a way by the Centre which would very much facilitate the application of the Estates Abolition Act to 1936 inams also, it is better we wait for some time more instead of hurrying through. Under these circumstances there is no difficulty about this question. Even after my explanation if it is thought there is any difficulty still it is only imaginary and I cannot help it.”

DEPUTY SPEAKER :—“ The Hon. the Leader of the Opposition wants to move an amendment to refer the Bill to a Select Committee. It cannot be allowed at this stage. He should have moved his amendment in time. The question is—

‘ That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954, be taken into consideration at once.’ ”

The motion was carried.

DEPUTY SPEAKER :—“ Now we shall take up the clause by clause consideration of the Bill. The preamble and the short titles will be taken up at the end.”

Clauses 2 and 3 were put up and carried.



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*Clause 4.*

DEPUTY SPEAKER :—" Motion moved—

' That clause 4 do stand part of the Bill.' "

SRI P. RAMAMURTHI :—" Mr. Deputy Speaker, Sir, after hearing the reply of the Hon. the Minister for Revenue, I am fairly convinced that this Clause should not remain as it is, empowering, as it does, the State Government to rake up the whole question again. After all, what does it boil down to? It boils down to this, namely, that the State Government may appeal to the Tribunal because of the fact that they will have to pay more compensation if a particular land, which is not an inam land but which is an estate, had been declared to be an inam land. Therefore, the Government say that they want to have a right of appeal. If it is limited to this specific purpose, we would have no objection. I am not certainly anxious that the inamdars should be able to get greater amount of compensation from the Government. As a matter of fact, I wish that they should get no compensation at all. Unfortunately, it is not possible. If the right of appeal is restricted to specific cases where an ordinary estate has been declared to be an inam and where the Government have to pay greater compensation as a result of that, I can understand the position. But they don't stop with that. They say that they would also have the right of appeal in cases where they consider that a Settlement Officer has declared a particular area or a particular village to be an estate when actually it is not an estate. As a result of the application of the Rent Reduction Act during the last five or six years the amount of rent, which the tenants have been paying to the landlords, has been lowered down. Now, all these things are totally upset. The Government have got the right to rake up the whole question once again. The Hon. the Minister for Revenue should have come forward with a statement as to how many estates are involved, the number of settlements that have taken place ever since the Act came into force, the number of estates which the Government consider should not have been declared as estates, the extent of the area involved, the total value of the compensation payable, the number of tenants involved and so on. If all these facts are placed before the House, then one can come to a conclusion. The Hon. Minister has not given any of these details and this is a strange way of dealing with us. In spite of the explanation offered by the Hon. Minister, I feel that this Clause must not be passed."

\* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, I have already explained the matter. In any piece of legislation the phraseology is put in that liberal way to be on the safe side. I may state that such cases would be very few and far between, but when we legislate, power is taken like that. In every legislation it is like that. It does not mean that it will be used indiscriminately. It will be used only when it is absolutely necessary. We have provided that the Government can appeal if the decision of the



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Settlement Officer was vitiated by fraud or by mistake of fact. In all legislations, these things are provided for, not only here but in the whole world."

THE HON. SRI C. SUBRAMANIAM :—" Another point which strikes me is this. The Hon. the Leader of the Opposition is agreeable to the Government appealing in cases where the ryots are affected, that is, where fraud and mistake are involved, as a result of which a wrong decision has been given. If a ryot is affected, then the Government may appeal. But if an inamdar is affected, then the Government should not appeal. Can we discriminate like that? Therefore, we are taking the power of appeal in all cases where the decision is vitiated by fraud or by mistake. Of course, the Government will exercise their discretion in the matter of preferring the appeal, but it would not be fair to provide in a legislation that if it affects one class of persons then the Government can appeal and that if it affects the other class of persons the Government should not appeal. That will be making a discrimination between one class and another. After all, the Government are interested in safeguarding the rights of the ryots. In view of this assurance, I would request the Hon. the Leader of the Opposition to withdraw his opposition to this clause and I may assure him that it will not be used for the purpose of harassing the ryots for gaining a point in favour of the landlords or for any other purpose whatsoever."

(Mr. Speaker in the Chair.)

4 p.m

MR. SPEAKER :—" The question is—

'That clause 4 do stand part of the Bill.' "

The motion was put and declared carried.

A poll was demanded and the House divided thus—

Ayes—47.

The Hon. Sri C. Subramaniam.

„ M. Manickavelu Naicker.

Sri K. Rajaram Naidu.

„ B. Bhakthavatsalu Naidu.

„ P. G. Karuthiruman.

„ V. C. Palaniswami Gounder.

„ V. K. Palaniswami Gounder.

„ P. K. Thirumurthy.

„ R. Kuppuswami.

„ S. R. Arumugam.

„ P. G. Manickam.

„ N. Ramakrishna Iyer.

„ T. P. Elumalai.

„ V. K. Ramaswami Mudaliar.

„ A. K. Masilamani Chettiar.

„ K. G. Munuswami Gounder.

„ R. Thangavelu.

„ A. Ramachandra Reddiar.

„ K. S. Ardhanareswara Gounder.

„ P. M. Munuswami Gounder.

„ O. A. Nanjappa.

The Hon. Sri S. S. Ramaswami Padayachi.

Sri T. K. Rama.

Sri M. S. Muniswami Pillai.

„ A. Ayyanar.

„ S. Thinakaraswami Thevar.

„ R. M. Palaniappan.

„ M. D. Thiagaraja Pillai.

„ M. Marimuthu.

„ K. Parthasarathy.

„ M. Jagannathan.

„ P. S. Krishnaswamy Ayyangar.

„ G. Govindan.

„ Ar. A. Rm. Chockalingam Chettiar.

„ M. Kandaswami Padayachi.

„ P. Chellathurai.

„ P. Selvaraj.

„ S. N. Somayajulu.

„ K. P. Kuttikrishnan Nair.

„ T. Ananta Pai.

„ K. H. Bomman.

„ S. Somasundara Gounder.

„ M. Venugopala Gounder.

„ M. Kattimuthu.

„ T. Manavalan.

„ A. Appu.

„ K. Kunhi Mohamed Shafee.



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*Noes—36.*

Sri S. Swayamprakasam.  
„ A. Ratnam.  
„ S. Deivasigamany.  
„ N. Rathina Gounder.  
„ M. P. Subramaniam.  
„ K. R. Sambandam.  
„ P. Rangaswami Reddiar.  
„ T. Shanmugam.  
„ A. Govindaswamy Nayagar.  
„ A. Senapathi Gounder.  
„ D. Krishnamurthi Gounder.  
„ A. Veloo.  
Dr. K. B. Menon.  
Sri M. Narayana Kurup.  
„ K. T. Sridharan.  
„ C. Kunhirama Kurup.  
„ M. Palaniyandi.  
„ M. Narayana Nambiar.

Sri N. Paramasiva Udayar.  
„ P. Kunhirama Kidav.  
„ O. Koran.  
„ C. Velukkan.  
„ P. Ramamurthi.  
„ K. T. Raju.  
„ S. Ramalingam.  
„ S. Vadivelu.  
„ K. C. Gopalan Unni.  
„ V. Madanagopal.  
„ N. Sivaraj.  
„ A. K. Subbiah.  
„ K. V. Ramaswami.  
„ T. S. Ardhanari.  
„ K. Madhavan Nambiar.  
„ E. T. Kunhan.  
„ C. H. Kanaran.  
„ R. Krishnan.

*Neutral—Nil.*

Ayes—47; Noes—36; Neutral—Nil.

The motion was carried.

Clauses 5 to 10 and clause 1 and the Preamble were then each separately put and carried.

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, 4-10  
I move— p m.

*‘ That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1954, be passed into law.’ ”*

The motion was put and carried and the Bill was passed into law.

IV.—GOVERNMENT MOTION—*cont.*

MOTION UNDER RULE 22 (3) OF THE ASSEMBLY RULES *re* CHANGE  
IN THE ORDER OF BUSINESS.

THE HON. SRI C. SUBRAMANIAM :—“ Sir, I move—

*‘ That the Indian Bar Councils (Madras Amendment) Bill, 1954, be taken up first instead of the Madras Tenants and Ryots Protection (Amendment) Bill, 1954.’ ”*

The motion was put and carried.

III.—GOVERNMENT BILLS—*cont.*

(5) THE INDIAN BAR COUNCILS (MADRAS AMENDMENT) BILL, 1954.

THE HON. SRI C. SUBRAMANIAM :—“ Sir, I beg to introduce the Indian Bar Councils (Madras Amendment) Bill<sup>a</sup>, 1954, and move—

*‘ That the Bill be taken into consideration at once.’*

Sir, this is a very harmless and innocent Bill which is also considered necessary. In view of the fact that a separate High Court has been set up for the Andhra State from the 5th July 1954, in



[Sri C. Subramaniam] [14th December 1954]

respect of the election of members to the Bar Council by the members of the Bar, we have to make a distinction between persons who are ordinarily residing and practising in the Andhra area and those who are ordinarily residing and practising in the Madras State. This is the purpose of the Bill. According to this, persons who are ordinarily residing in the Andhra State will be debarred from the Madras Bar Council. There is nothing else in the Bill. We are also saying that there will be no bar against those residing in Andhra area to practise in the Madras High Court. The Andhra Bar Council has also been formed and the advocates ordinarily residing and practising in the State of Andhra can elect the members to the Andhra Bar Council. I hope the House will accept the motion."

MR. SPEAKER :—" Motion moved—

' That the Indian Bar Councils (Madras Amendment) Bill, 1954, be taken into consideration at once.' "

\* SRI M. NARAYANA KURUP :—" I think there will be one difficulty. I went through the Statement of Objects and Reasons relating to this Bill. I find that the Andhra High Court has a list of the advocates practising in the Andhra High Court, but I don't find any list attached to this Bill. So, the expression, ' ordinarily residing and practising in the State of Madras ' will have to be carefully interpreted. If the list of voters, i.e., the list of advocates who are entitled to exercise their franchise is not made definite, there will be trouble in future. Suppose an advocate was not allowed to vote; there may be confusion and he may even prefer an election petition that he was ordinarily residing within the State of Madras and so he ought to have been allowed to vote. If there was a clear list of advocates, then there will be no trouble. I do not know whether my apprehension is well-founded or unfounded. Anyway, I would like the Hon. the Law Minister to explain the position."

SRI P. RAMAMURTHI :—" I suppose the members belonging to this profession will not prefer election petitions in respect of the Bar Council elections."

THE HON. SRI C. SUBRAMANIAM :—" We can only lay down the principle in a legislation like this. We cannot give a list of members of the profession who are entitled to vote. It is not possible and it is also not the practice to attach such lists to Bills."

\* SRI M. NARAYANA KURUP :—" In respect of other elections, a certain procedure is laid down and followed. The preliminary list of voters is published, objections are invited and then the final list is prepared. I have not gone through the Bar Council Act and so I do not know whether such a procedure is laid down in it. Unless the preliminary list of voters is published, objections are called for and the list is finalised after proper scrutiny, there is no meaning in the present provision. If some such procedure is laid down, it will be all right. In the absence of any such procedure I apprehend some trouble."



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MR. SPEAKER :—“ The question is—

‘ That the Indian Bar Councils (Madras Amendment) Bill, 1954, be taken into consideration at once.’ ”

The motion was put and carried.

*Clause 2.*

\* SRI P. S. KRISHNASAMY AYYANGAR :—“ Sir, in the new Section 4-A that is sought to be introduced it is said that ‘ No advocate entered in the roll of advocates of the Madras High Court, who, on or after the 5th July 1954, is not ordinarily residing and practising in Courts in the State of Madras shall be entitled to vote . . . ’ ‘ Ordinary residence ’ will have to be considered with reference to a particular period. If a person says that he was residing here for one day, it cannot be taken that he was ‘ ordinarily residing ’ here. So, I think it will be better if we say ‘ from 5th July 1954 ’ instead of ‘ on or after 5th July 1954 ’. It is only a suggestion and if the Hon. the Law Minister agrees to the suggestion, he may accept it.”

SRI K. PARTHASARATHY :—“ Sir, in the new Section 4-A that is sought to be introduced the wording ‘ ordinarily residing and practising in Courts in the State of Madras ’ is used. Now, we know that persons whose names are found on the roll of the Madras High Court are entitled to vote in the elections to the Bar Council. According to this, I think it is not necessary that a person should be actually practising on the date. If for some reason or other he was not practising at the time of election, he should not be prevented from exercising his franchise. My submission therefore is that the conditions that a person should be ordinarily residing within the State of Madras and should also be ordinarily practising in Courts in the State of Madras are rather too much. I think that the only condition that can be enforced is that a person should ordinarily reside within the State of Madras to become entitled to vote. Persons whose names are found on the roll of advocates of the Madras High Court and who are ordinarily residing in the State of Madras but who may not actually be practising in Courts in the State of Madras should not be prevented from voting. My view is that such people should not be deprived of their right to vote. I request that suitable amendments may be incorporated to enable such people also to take part in the voting.”

\* SRI S. SWAYAMPRAKASAM :—“ Sir, I do not see any reason why hon. Member Sri Parthasarathy wants that even those persons who are not practising must be entitled to vote. The intention is to allow only those who are ordinarily residing and practising in courts in the State of Madras. There is no point in giving franchise to those who do not practise even though they may be qualified lawyers.”

THE HON. SRI C. SUBRAMANIAM :—“ There are two points to be considered. As for Sri Krishnaswami Ayyangar’s point, it is not possible to accept his suggestion. Because, about 200 lawyers



[Sri C. Subramaniam] [14th December 1954]

have migrated from Madras to Guntur after the establishment of the Andhra High Court in Guntur. They have been moving between Guntur and Madras and have not yet settled down in Guntur. Their ordinary residence in Guntur will have to be taken into consideration. That is why the present language, viz., 'on or after the 5th July 1954' is used.

4-20 P.M. "After all, I am sure, they will ask for their own declaration whether they are resident and practising there. Some such convention will be followed and there will not be any difficulty about that.

"Sir, with reference to the points raised by the hon. Member Sri Parthasarathy, now there is a separate roll for Andhra High Court advocates. A person who wants ordinarily to practise before that High Court will enrol himself there. That is why both the conditions are put here. 'Ordinarily practising' does not mean that he should actually practise. It only means he intends ordinarily to practise. Sir, a lawyer can be a lawyer even without practising. 'Ordinarily practising' does not mean that he should be getting cases and appearing before courts. The intention is there, whether he wants to be a lawyer of the Madras High Court and enrol himself there or whether he wants to be a lawyer of the Andhra High Court and enrol himself there. That is why this language has been used. That won't create any difficulties."

SRI P. RAMAMURTHI :—"I would request the Hon. Minister to answer only one question. What happens in the case of those who are anxious to practise and do not get practice?"

Clause 2 was put and carried.

Clause 3 was put and carried.

Clause 1 and the Preamble were put and carried.

THE HON. SRI C. SUBRAMANIAM :—"Sir, I move—

*'That the Indian Bar Councils (Madras Amendment) Bill, 1954, be passed into law.'*"

MR. SPEAKER :—"The question is—

*'That the Indian Bar Councils (Madras Amendment) Bill, 1954, be passed into law.'*"

The motion was put and carried and the Bill was passed into law.

MR. SPEAKER :—"Is it the desire of the House to adjourn now? Then what about the half-hour debate about the allotment of lands to Harijans in Kodaikanal?"

THE HON. SRI C. SUBRAMANIAM :—"The Hon. Minister is not prepared for it, Sir."

MR. SPEAKER :—"Shall we have it day after tomorrow?"

SRI P. RANGASWAMI REDDIAR :—"Day after tomorrow is a non-official day, Sir."



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MR. SPEAKER :—" We will take it up only after 5 p.m."

SRI A. RATNAM :—" கனம் சபாநாயகர் அவர்களே, சேலம் ஜில்லா வேப்பிலைப்பட்டி கிராமம் சம்பந்தமாக ஒரு அரைமணி நேர விவாதம் கேட்டிருந்தேன். அதை இப்பொழுது எடுத்துக்கொள்ள வேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்."

MR. SPEAKER :—" அதை எடுத்துக்கொள்வதற்கு கனம் மந்திரி அவர்கள் தயாராக இருக்கிறாரோ தெரியவில்லை. அது ஜில்லாவில் ஹரிஜன விஷயத்தைப்பற்றியது

" The Hon. Minister is not prepared for it. Now I wish to make an announcement. Tomorrow we will not have the afternoon session because, the Select Committee on the Dramatic Performances Bill will be sitting in the afternoon.

" The House will now adjourn and meet again at 11 a.m. tomorrow."

The House then adjourned.





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## APPENDIX.

[Vide answer to starred question No. 329 asked by Sri K. Kunhi Mohamed Shafee at the meeting of the Legislative Assembly held on 14th December 1954, on page 95 supra.]

| Department.<br>(1)                                 | Categories of posts.<br>(2)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Scale of pay.<br>(3)<br>RS.         |
|----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| <b>Madras Agricultural Service (Men's Branch).</b> | District Agricultural Officers ; Junior Lecturers in Agriculture ; Superintendent, Central Farm, Coimbatore ; Assistant Marketing Officers ; Gazetted Assistant, Office of the Director of Agriculture ; Curator, Government Botanical Gardens and Parks, The Nilgiris ; Assistant Research Officers ; Assistant Entomologists ; Assistant Agricultural Chemists including Agricultural Bacteriologist ; Bio-Chemist and Soil Physicist ; Assistant Mycologists ; Assistant Lecturing and Systematic Botanist and Lecturer in Botany ; Superintendents of Agricultural Research Stations ; Assistant Cotton Specialists ; Assistant Fruit Specialists including Superintendent, Fruit Research Station, Kodur ; Plant Physiologist ; Cyto-Geneticists ; Lecturer in Agricultural Economics ; Assistant Paddy Specialist and Assistant Millet Specialist. | 230—30/2—260—40/2<br>—500—50/2—700. |
|                                                    | Assistant Agricultural Engineer (Research), Assistant Agricultural Engineers (Civil and Mechanical) and Assistant Agricultural Engineers (Headquarters).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 260—30/2—380—40/2<br>—500           |
| <b>Madras Boiler Service.</b>                      | Inspectors of Boilers .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 280—30/2—520—40/2<br>—600—50/2—700. |
| <b>Madras Co-operative Service.</b>                | Deputy Registrars of Co-operative Societies ; Special Development Officer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 230—30/2—260—40/2<br>—500—50/2—700. |
|                                                    | Dairy Development Officer .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 260—40/2—700.                       |
|                                                    | State Palm-Gur Organizer .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 200—10—300.                         |
| <b>Madras Educational Service.</b>                 | Personal Assistant to the Director of Public Instruction : District Educational Officers Inspector or Inspectress of Anglo-Indian Schools ; Inspector of Oriental Schools ; Secretary to the Commissioner for Government Examinations ; Professors and Lecturers.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 230—30/2—260—40/2<br>—500—50/2—700. |
|                                                    | Personal Assistant to the Honorary Director of Legal Studies.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 190 (fixed pay).                    |
|                                                    | Headmasters .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 230—30/2—260—40/2<br>—340.          |
|                                                    | Physical Directors .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Do.                                 |
|                                                    | College of Engineering, Guindy—Instructors.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 260—40/2—500—50/2<br>—700.          |
|                                                    | Senior Workshop Instructors and Junior Instructors.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 260—40/2—420.                       |
|                                                    | Manual Training Expert .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 200—30/2—260—40/2<br>—500.          |
| <b>Women's Branch Administrative Section.</b>      | Inspectresses of Girls, Schools .. .. .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 230—30/2—260—40/2<br>—500—50/2—700. |



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| Department.<br>(1)                                                  | Categories of posts.<br>(2)                                                                                                 | Scale of pay.<br>(3)<br>RS.         |
|---------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| Women's Branch<br>Administrative Sec-<br>tion— <i>cont.</i>         | Superintendents and Headmistress .. ..                                                                                      | 230—30/2—260—40/2<br>—340.          |
|                                                                     | Lecturers and Woman Specialist in Physical<br>Education.                                                                    | 230—30/2—260—40/2<br>—500—50/2—700. |
| Madras Electrical Ser-<br>vice                                      | Assistant Engineers (Electrical, Civil and<br>Mechanical).                                                                  | 260—30/2—380—40/2<br>—500.          |
|                                                                     | Stores Superintendent .. ..                                                                                                 | 200—30/2—350.                       |
|                                                                     | Chemist .. ..                                                                                                               | 200—25/2—400.                       |
|                                                                     | Chief Head Draftsman .. ..                                                                                                  | 200—25/2—300.                       |
| Madras Engineering<br>Service.                                      | Junior Superintendents, Public Works Work-<br>shops.                                                                        | 260—30/2—380—40/2<br>—500.          |
|                                                                     | Assistant Engineers (Public Works and Public<br>Health) and Mechanical Expert.                                              | 250—30/2—520—40/2<br>—600.          |
|                                                                     | Additional Mechanical Expert .. ..                                                                                          | 260—30/2—410.                       |
|                                                                     | Physics and Soil Mechanics Officer .. ..                                                                                    | 260—40/2—500—50/2<br>—700.          |
| Madras Engineering<br>Service—Branch 4<br>—State Broadcast-<br>ing. | Assistant Radio Engineer .. ..                                                                                              | 200—30/2—380—40/2<br>—420.          |
| Madras Municipal<br>Engineering Service.                            | Municipal II Grade engineers .. ..                                                                                          | 260—30/2—380—40/2<br>—500.          |
| Madras Excise Service                                               | Inspectors—IV Grade .. ..                                                                                                   | 275.                                |
| Madras Factory Ser-<br>vice.                                        | Inspector and Inspectress of Factories ..                                                                                   | 250—50/2—400.                       |
| Madras Fire Service.                                                | District Fire Officers including the Personal<br>Assistant to the Inspector-General of Police<br>Fire Service Branch.       | 250—10—300.                         |
|                                                                     | Hydrologist .. ..                                                                                                           | 200—25/2—400.                       |
| Madras Fisheries Ser-<br>vice.                                      | Assistant Director of Fisheries including<br>Assistant Director of Fisheries (Coast,<br>Inland, Pearl and Chank Fisheries). | 230—30/2—260—40/2<br>—500.          |
| Madras General Ser-<br>vice.                                        | Deputy Chief Accountants of the Offices in the<br>Electricity Department.                                                   | 200—30/2—350.                       |
|                                                                     | Chief Accountant, Office of the Chief Electri-<br>cal Inspector to Government.                                              | Do.                                 |
|                                                                     | Junior Assistant (Administration), Office of<br>the Chief Engineer for Electricity.                                         | 275—25/2—350.                       |
|                                                                     | Examiner of Stores Accounts, Electricity<br>Department.                                                                     | 260—30/2—380—40/2<br>—500.          |
|                                                                     | Assistant Consulting Architect to Govern-<br>ment.                                                                          | 260—30/2—380—40/2<br>—500—50/2—600. |
|                                                                     | Personal Assistant to the Consulting<br>Architect.                                                                          | 250—10—300.                         |
|                                                                     | Superintendents of the Cinchona Plantations,<br>the Anamalais and Nilgiris.                                                 | 250—30/2—520—40/2<br>—600.          |
|                                                                     | Personal Assistant to the Director of<br>Cinchona.                                                                          | 200—30/2—320—40/2<br>—400—5/2—500.  |
|                                                                     | Assistant Curator of the Madras Record Office.                                                                              | 250—25/2—300.                       |
|                                                                     | Librarian of the Connemara Public Library ..                                                                                | 230—30/2—260—40/2<br>—500—50/2—700. |
|                                                                     | Translators to Government .. ..                                                                                             | 240—40/2—400.                       |
|                                                                     | Assistant Statistical Officer .. ..                                                                                         | 250—50/2—500.                       |
|                                                                     | Deputy Administrator-General and Official<br>Trustee, Madras.                                                               | 270—35/2—410.                       |



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| Department.<br>(1)                          | Categories of posts.<br>(2)                                                                                                                                                                                                              | Scale of pay.<br>(3)<br>RS.                   |
|---------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| <b>Madras General Service—cont.</b>         | Manager, Office of the Director of Medical Services.                                                                                                                                                                                     | 275—25/2—350.                                 |
|                                             | Lay Secretary and Treasurer—Grade I ..                                                                                                                                                                                                   | 250—25/2—400.                                 |
|                                             | Lay Secretary and Treasurer—Grade II ..                                                                                                                                                                                                  | 190—15/2—250.                                 |
|                                             | Assistant Engineer for Marine Works at Minor Ports other than Tuticorin.                                                                                                                                                                 | 200—30/2—380—<br>40/2—500.                    |
|                                             | Electrical and Mechanical Engineer, Government Press.                                                                                                                                                                                    | 225—15/2—300.                                 |
|                                             | Examiner of Questioned Documents .. ..                                                                                                                                                                                                   | 250—25/2—500.                                 |
|                                             | Rural Welfare Officer .. .. .                                                                                                                                                                                                            | 250—50/2—400.                                 |
|                                             | Labour Officers—Grade II .. .. .                                                                                                                                                                                                         | 250—50/2—500.                                 |
|                                             | Labour Officers—Grade III .. .. .                                                                                                                                                                                                        | 200—20/2—300.                                 |
|                                             | Personal Assistants to the District Superintendents of Police.                                                                                                                                                                           | 250—25/2—500.                                 |
| <b>Madras Industries Service.</b>           | Assistant Industrial Engineer .. .. .                                                                                                                                                                                                    | 260—30/2—380—<br>40/2—500.                    |
|                                             | Senior Lecturer in the School of Technology and Leather Research Chemist.                                                                                                                                                                | 230—30/2—410.                                 |
| <b>Industries and Commerce Department.</b>  | Heads of Sections in the Polytechnics ..                                                                                                                                                                                                 | Do.                                           |
|                                             | Personal Assistants to the Principal, School of Arts and Crafts, Madras.                                                                                                                                                                 | Do.                                           |
|                                             | Tanning Assistant and Footwear Assistant in the Institute of Leather Technology, Madras and Special Officer (Power Drills).                                                                                                              | Do.                                           |
|                                             | Assistant Director of Industries and Commerce.                                                                                                                                                                                           | 260—30/2—380—<br>40/2—500.                    |
|                                             | Electrical and Mechanical Engineer, Government Hydrogenation Factory, Kozhikode; Assistant Sericultural Experts; Senior Chemists; Chemical Testing and Analytical Laboratory and Manager, Technical Government Silk Filatures, Kollegal. | 230—30/2—410.                                 |
| <b>Madras Highways Engineering Service.</b> | Assistant Engineers .. .. .                                                                                                                                                                                                              | 260—30/2—380—<br>40/2—500.                    |
| <b>Madras Jail Service ..</b>               | Headmasters of Certified Schools .. ..                                                                                                                                                                                                   | 230—30/2—260—<br>40/2—380.                    |
|                                             | Lady Deputy Superintendent .. .. .                                                                                                                                                                                                       | 250—25/2—450.                                 |
|                                             | Jailors in Jails .. .. .                                                                                                                                                                                                                 | 200—25/2—300.                                 |
| <b>Madras Medical Service.</b>              | Assistant Surgeons in the General Line (Assistant District Medical Officers and Assistant Surgeons attached to Hospitals).                                                                                                               | 150—25/2—400<br>Graduates to start<br>on 200. |
|                                             | Non-clinical Tutors or Assistants .. ..                                                                                                                                                                                                  | 200—25/2—400.                                 |
|                                             | Clinical Tutors or Assistants; Senior Assistant Chemical Examiner; Junior Assistant Chemical Examiner; Assistant to the Chemical Examiner for Police Research.                                                                           | Do.                                           |
|                                             | Non-Medical Assistant to the Professor of Pharmacology, Medical College, Madras.                                                                                                                                                         | Do.                                           |
|                                             | Lecturer in Pharmaceutics and Research Chemist, Pharmacological Unit, Medical College, Madras and Senior Assistant to Government Analyst, King Institute, Guindy.                                                                        |                                               |
|                                             | Assistant Serologist, Upgraded Venereal Disease Department, Government General Hospital, Madras.                                                                                                                                         | 150—25/2—400.                                 |



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| Department.<br>(1)                                   | Categories of posts.<br>(2)                                                                                                                                                                                                            | Scale of pay<br>(3)                                                                |
|------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
|                                                      |                                                                                                                                                                                                                                        | Rs.                                                                                |
| Madras Medical Service—cont.                         | Medical Bacteriologist (Biological Control)                                                                                                                                                                                            | 220—30/2—340—<br>40/2—580.                                                         |
|                                                      | Pharmacologist (Biological Control)                                                                                                                                                                                                    | Do.                                                                                |
|                                                      | Chemical Assistant and Senior Assistant ..                                                                                                                                                                                             | 200—25/2—400.                                                                      |
| Public Health Section,<br>King Institute,<br>Guindy. | Chief Water Analyst .. .. .                                                                                                                                                                                                            | 220—30/3—340—<br>40/2—580.                                                         |
|                                                      | Assistant Analyst (Water, Bacteriology and Chemistry).                                                                                                                                                                                 | 200—25/2—400.                                                                      |
|                                                      | Assistant Analyst (Water Biology) .. ..                                                                                                                                                                                                | Do.                                                                                |
|                                                      | Medical Biologist .. .. .                                                                                                                                                                                                              | Do.                                                                                |
|                                                      | Lecturers, Grade I, College of Indigenous Medicine.                                                                                                                                                                                    | 250—30/2—400.                                                                      |
| Madras Public Health Service.                        | Health Officers, Class I .. .. .                                                                                                                                                                                                       | 250—30/2—340—40/2<br>—580.                                                         |
|                                                      | Health Officers, Class II .. .. .                                                                                                                                                                                                      | 160—20/2—280.                                                                      |
|                                                      | Senior Entomologist .. .. .                                                                                                                                                                                                            | 250—25/2—400                                                                       |
|                                                      | Statistician .. .. .                                                                                                                                                                                                                   | 230—30/2—380—40/2<br>—500.                                                         |
| Madras Police Service.                               | Deputy Superintendents of Police .. ..                                                                                                                                                                                                 | 280—30/2—310—40/2<br>—350—50/2—650.                                                |
| Madras Registration Service.                         | District Registrars .. .. .                                                                                                                                                                                                            | 230—30/2—320—40/2<br>—400—50/2—500.                                                |
| Madras Stationery and Printing Service.              | Assistant Superintendents, Government Press, Madras, including Assistant Superintendent and Linotype Instructor and Assistant Superintendent and Monotype Instructor.                                                                  | 200—30/2—440 direct recruits with additional qualification will draw 250—40/2—450. |
|                                                      | Stock Verification Officer .. .. .                                                                                                                                                                                                     | 200—30/2—350.                                                                      |
| Madras Survey and Land Records Service.              | Assistant Directors of Survey and Land Records.                                                                                                                                                                                        | 260—40/2—300—50/2<br>—600.                                                         |
|                                                      | Photographic and Printing Expert, Central Survey Office, Madras.                                                                                                                                                                       | 250—50/2—500.                                                                      |
| Madras Transport Service.                            | Regional Transport Officers and Assistant Secretaries, Central Road Traffic Board.                                                                                                                                                     | Do.                                                                                |
| Madras Vigilance Service.                            | Inspector of Vigilance (post now held in abeyance).                                                                                                                                                                                    | 250—25/2—400.                                                                      |
|                                                      | Superintendent, Vigilance Home and Stridhana Training Home and Shelter, Madras.                                                                                                                                                        | 230—15/2—275.                                                                      |
| Madras Animal Husbandry Service.                     | District Veterinary Officers .. .. .                                                                                                                                                                                                   | 260—40/2—700.                                                                      |
|                                                      | Superintendent, Livestock Research Station.                                                                                                                                                                                            | Do.                                                                                |
|                                                      | Inspector of Livestock of the Forest Department.                                                                                                                                                                                       | 235—30/2—325.                                                                      |
|                                                      | Veterinary Research Officer, Toxicology Scheme, Veterinary Investigation Officer, Poultry Development Officer, Research Officer, Ranikhet Disease Vaccine Products, Sheep and Goat Development Officer and Lecturer in Animal Hygiene. | 260—40/2—700.                                                                      |
|                                                      | Lecturer in Animal Hygiene, Agricultural College, Coimbatore; Assistant Disease Investigation Officer and Research Officer, Madras Helminthiasis Scheme.                                                                               | Do.                                                                                |



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| <i>Department.</i>                                                               | <i>Categories of posts.</i>                                       | <i>Scale of pay.</i>                                                   |
|----------------------------------------------------------------------------------|-------------------------------------------------------------------|------------------------------------------------------------------------|
| (1)                                                                              | (2)                                                               | (3)                                                                    |
|                                                                                  |                                                                   | RS.                                                                    |
| Transport Department<br>(Nationalization<br>Branch).                             | Assistant Secretary (Nationalization)                             | .. 250—25/2—350 plus<br>a special pay of<br>Rs. 50 per mensem.         |
|                                                                                  | Labour Welfare Officer .. .. .                                    | 250—50/2—500.                                                          |
|                                                                                  | Deputy Accounts Officer .. .. .                                   | 240—40/2—400.                                                          |
|                                                                                  | Traffic Superintendents .. .. .                                   | 260—30/2—380<br>—40/2—500.                                             |
|                                                                                  | Assistant Engineers .. .. .                                       | Do.                                                                    |
|                                                                                  | Stores Officer .. .. .                                            | 200—30/2—350.                                                          |
|                                                                                  | Medical Officer .. .. .                                           | 150—25/2—400 plus<br>Rs. 50 per mensem<br>compensatory allow-<br>ance. |
|                                                                                  | Workshop Engineers .. .. .                                        | 260—30/2—380—40/2<br>—500.                                             |
| Hindu Religious and<br>Charitable Endow-<br>ments (Administra-<br>tive) Service. | Assistant Commissioners .. .. .                                   | .. 250—50/2—500.                                                       |
| Judicial Department<br>Law Officers.                                             | Law Reporters .. .. .                                             | .. 200 (Fixed).                                                        |
| National Extension<br>Service.                                                   | Block Development Officer .. .. .                                 | 230—20/2—310—30/2<br>—400.                                             |
|                                                                                  | Superintendents, Basic Agriculture Train-<br>ing School.          | 230—30/2—260—40/2<br>—500—50/2—700.                                    |
| Community Project<br>Scheme.                                                     | Block Development Officers .. .. .                                | 230—20/2—310—30/2<br>—400.                                             |
|                                                                                  | Chief Social Education Organisers .. .. .                         | 230—30/2—260—40/2<br>—340.                                             |
|                                                                                  | Assistant Engineers .. .. .                                       | 260—30/2—380—40/2<br>—500.                                             |
|                                                                                  | Civil Assistant Surgeon .. .. .                                   | 150—25/2—400.                                                          |
|                                                                                  | Principals of the Training Centre for Village<br>Guides.          | 230—30/2—260—40/2<br>—500—50/2—700.                                    |
|                                                                                  | Lecturer in Health at the Training Centres<br>for Village Guides. | 160—20/2—280.                                                          |
|                                                                                  | Chief Accountant.. .. .                                           | 200—15—380—20—<br>500 plus 50<br>special pay.                          |
| Lignite<br>Scheme,<br>Arcot.                                                     | Assistant Engineer (Civil) .. .. .                                | 260—30/2—380—40/2<br>—500.                                             |
|                                                                                  | Senior Chemist .. .. .                                            | 230—30/2—410.                                                          |
|                                                                                  | Assistant Engineer. Mechanical .. .. .                            | 260—30/2—380—40/2<br>—500.                                             |